Final
CEQA Findings of Fact
and
Statement of Overriding Considerations
for the
City of Chula Vista Urban Core Specific Plan
Environmental Impact Report

EIR #06-01

SCH #2005081121

Lead Agency

City of Chula Vista

City Council

276 Fourth Avenue

Chula Vista, CA 91910

December 2006

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1. Introduction

This document presents findings that must be made by the City of Chula Vista prior to approval of the Urban Core Specific Plan, pursuant to Sections 15091 and 15093 of the California Environmental Quality Act (CEQA) Guidelines and Section 21081 of the Public Resources Code. Under CEQA, the Lead Agency (City of Chula Vista) is required to make written findings concerning each significant environmental impact identified in the Final Environmental Impact Report (FEIR).

The FEIR prepared for the Chula Vista Urban Core Specific Plan assessed the environmental impacts of all the discretionary actions related to the adoption of the Urban Core Specific Plan. In addition, the FEIR evaluated three CEQA alternatives to the proposed project: the No Project Alternative, the Reduced Project Alternative, and the Automobile Priority Alternative.

The FEIR constitutes a Program EIR under the provisions of Section 15168 of the State CEQA Guidelines. A Program EIR allows for review of a series of contemplated actions. The City of Chula Vista and other agencies will be able to use information presented in the Program FEIR to determine if additional environmental review is required for subsequent actions linked to the project. The Program FEIR for the UCSP was prepared in accordance with the California Environmental Quality Act (CEQA) of 1970 as amended and the guidelines of the City of Chula Vista.

Having received, reviewed and considered the Final Environmental Impact Report for the Urban Core Specific Plan, as well as other information in the record of proceedings on this matter, the following Findings and Statement of Overriding Considerations (Findings) are hereby adopted by the City of Chula Vista (City) in its capacity as the CEQA Lead Agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the Urban Core Specific Plan.

1.1 Project Summary

The proposed project is the Urban Core Specific Plan (UCSP) which is intended to govern the development and revitalization of the urban core of the City of Chula Vista. The proposed UCSP was prepared in accordance with the Chula Vista Municipal Code (Section 19.07, Specific Plans) and the California Government Code (Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457), and contains chapters pertaining to Mobility Recommendations, Land Use and Development Regulations (zoning), Development Design Guidelines, Public Realm Design Guidelines, Infrastructure and Public Facilities, a Community Benefits Program, and Plan Implementation. Additional chapters include information pertaining to the UCSP's background, vision, and existing conditions.

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The proposed UCSP refines and implements the vision for downtown Chula Vista expressed in the City's General Plan Update (GPU, 2005). The proposed UCSP fulfills the role of providing detailed neighborhood-specific land use and development regulations (zoning), development design guidelines, and numerous other mobility and public realm guidelines, incentives and programs to revitalize the urban core in accord with the general goals stated in the GPU. The UCSP additionally serves as the basis for a variety of other actions, such as parkland acquisitions and transportation improvements.

Under the proposed UCSP, downtown Chula Vista at buildout would consist of an integrated and connected network of three distinct neighborhoods and districts: the Village, Urban Core and Corridors. (For planning purposes each of these three districts are divided into a total of 26 subdistricts). Each district would contain a mix of primarily low- to mid-rise (45 to 84 feet in height) high-density commercial, office, and residential uses and various public amenities such as improved pedestrian streetscapes, bicycle and transit facilities, public art, and parks, plazas and paseos. Two high-rise (up to 210 feet in height) Transit Focus Areas would be permitted in the areas surrounding the existing E and H Street trolley stations.

The new zoning, development standards, and design guidelines proposed in the UCSP apply only to the 690-gross-acre UCSP Subdistricts Area. (The UCSP Subdistricts Area lies within the larger 1700-acre UCSP study area. The existing stable residential neighborhoods within the study area, outside of the Subdistricts Area, are exempt from the regulatory provisions of the proposed UCSP.) The proposed UCSP regulatory provisions would allow an ultimate buildout of 7,100 net new residential units over the existing 3,700 for a total of up to 10,800 dwelling units in the Subdistricts Area by year 2030. Commercial retail square footage would increase by up to 1 million square feet over the existing 3 million square feet for a total of up to 4 million square feet by 2030. Commercial office space would increase by up to 1.3 million square feet over the existing 2.4 million square feet for a total of up to 3.7 million square feet by 2030. In addition, up to 1.3 million square feet of new commercial visitor-serving uses would be allowed in the Subdistricts Area by 2030. This intensification of land use in the Subdistricts Area is planned to accommodate GPU-projected resident and employment populations.

Discretionary Actions

The UCSP land use regulations would supersede existing Municipal Code Zoning as well as the existing land use guidelines of the redevelopment plan areas that overlap the UCSP Subdistricts Area. The specific discretionary actions to be considered by the Chula Vista City Council associated with adoption of the Urban Core Specific Plan are identified below.

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DISCRETIONARY ACTIONS REQUIRED FOR UCSP ADOPTION AND IMPLEMENTATION

Action	Agency	Purpose
Urban Core Specific Plan Adoption	City of Chula Vista City Council	To implement the objectives and policies of the recently updated Chula Vista General Plan
Urban Core Specific Plan Final EIR Certification	City of Chula Vista City Council	To comply with State-required environmental review of the proposed Urban Core Specific Plan
Town Centre I Redevelopment Plan Amendments	City of Chula Vista City Council/ Redevelopment Agency	To delete existing land use regulations and instead defer to the land use development and design provisions of the Urban Core Specific Plan
Town Centre I Land Use Policy Repeal	City of Chula Vista City Council/ Redevelopment Agency	To defer regulation of permitted land uses within the Chula Vista urban core to the Urban Core Specific Plan Land Use Matrix
Town Centre I Design Manual Repeal	City of Chula Vista City Council/ Redevelopment Agency	To defer the guidelines for design of development within the Chula Vista urban core to the Development Design Guidelines of the Urban Core Specific Plan

Project Objectives

The Urban Core Specific Plan follows the direction provided in the City's General Plan Update by establishing a more detailed vision, regulations, and guidelines for future development and beautification of the traditional downtown area. The following are the primary objectives of the Urban Core Specific Plan:

- Create the tools necessary to implement the General Plan Update's vision for the urban core through preparation of a comprehensive set of new zoning classifications and updated development regulations and standards for mixed-use developments.
- Develop updated design guidelines unique to the individual districts in the urban core that implement the urban form and create the active urban environment envisioned by the General Plan Update.
- Establish a Plan implementation program for the provision of community benefits such as public infrastructure, mobility improvements, and urban amenities that enhance the quality of life for the community.
- Facilitate revitalization of the downtown and surrounding commercial and residential areas by increasing certainty and predictability for all stakeholders that assures quality outcomes and streamline the development entitlement process.

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1.2 Findings Required Under CEQA

Public Resources Code section 21002 provides in relevant part, that "it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects[.]" (Emphasis added.) The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects." (Emphasis added.) Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof." The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (*See* Pub. Resources Code, section 21081, subd. (a); CEQA Guidelines, section 15091, subd. (a).)

For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions, together with a brief of the rationale for each finding.

- The first such finding is that "[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, section 15091, subd. (a)(1).)
- The second permissible finding is that "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (CEQA Guidelines, section 15091, subd. (a)(2).)
- The third potential finding is that "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." (CEQA Guidelines, section 15091, subd. (a)(3).)

Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." CEQA Guidelines section 15364 adds another factor: "legal" considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* ("Goleta II") (1990) 52 Cal.3d 553, 565 [276 Cal.Rptr. 410].) The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 [183 Cal.Rptr. 898].) "'[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic,

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environmental, social, and technological factors." (Ibid.; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 [29 Cal.Rptr.2d 182].)

The CEQA Guidelines do not define the difference between "avoiding" a significant environmental effect and merely "substantially lessening" such an effect. The City must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code section 21081, on which CEQA Guidelines section 15091 is based, uses the term "mitigate" rather than "substantially lessen." The CEQA Guidelines therefore equate "mitigating" with "substantially lessening." Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." (Pub. Resources Code, section 21002.)

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 519-527 [147 Cal.Rptr. 842], in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question (e.g., the "regional traffic problem") less than significant.

Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] *or* substantially lessen[ed]," these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level, or has simply been substantially lessened but remains significant.

Moreover, although section 15091, read literally, does not explicitly require findings to address environmental effects that an EIR identifies as merely "potentially significant," these findings will nevertheless fully account for all such effects identified in the Final EIR.

In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, section 15091, subd. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or a feasible

environmentally superior alternative, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, sections 15093, 15043, subd. (b); see also Pub. Resources Code, section 21081, subd. (b).) The California Supreme Court has stated that "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II*, 52 Cal.3d 553, 576.)

Legal Effect of Findings

To the extent that these findings conclude that proposed mitigation measures outlined in the EIR are feasible and have not been modified, superseded or withdrawn, the City of Chula Vista ("City" or "decisionmakers") hereby binds itself and any other responsible parties, require implementation of those measures. These findings, in other words, constitute a binding set of obligations that will come into effect when the City adopts the resolution(s) approving the project.

The adopted mitigation measures are express conditions of approval. Other requirements are referenced in the mitigation monitoring reporting program adopted concurrently with these findings, and will be effectuated through the process of implementing the project.

As required by Public Resources Code section 21081.6, subd. (a)(1), the City of Chula Vista, in adopting these findings, also adopts a mitigation monitoring and reporting program (MMRP) as prepared by the environmental consultant under the direction of the City. The program is designed to ensure that during project implementation, the applicant and any other responsible parties comply with the feasible mitigation measures identified below. The program is described in the document entitled City of Chula Vista Urban Core Specific Plan Mitigation Monitoring Reporting Program. The MMRP will remain available for public review during the compliance period.

1.3 Record of Proceedings

For purposes of CEQA and the findings set forth below, the administrative record of the City Council decision on the environmental analysis of this project shall include but not be limited to the following:

- The Notice of Preparation and all other public notices issued by the City in conjunction with the project;
- The Draft EIR for the project (EIR #06-01), including appendixes and technical reports, as circulated for Public Review on May 30, 2006;

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- Comments received from members of the public and public agencies regarding the Draft EIR that was circulated for Public Review on May 30, 2006 and responses thereto;
- The Final EIR for the project (EIR #06-01), including appendixes and technical reports, and documents incorporated by reference, and the;
- The Mitigation Monitoring and Reporting Program of the project;
- All documents and comments and correspondence submitted by members of the public and public agencies in connection with this project, in addition to comments on the EIR for the project;
- Minutes and verbatim transcripts of all workshops, public meetings, and public hearings held by the City of Chula Vista, or videotapes where transcripts are not available or adequate, with respect to this project or the EIR for the project;
- Any documentary or other evidence submitted at workshops, public meetings, and public hearings for this project;
- All findings and resolutions adopted by City decisionmakers in connection with this project, including all resolutions by the Planning Commission and City Council, and all documents cited or referred to therein;
- Matters of common knowledge to the City of Chula Vista which the members of the City Council consider regarding this project, including federal, state, and local laws and regulations, and including but not limited to the following:
    - City of Chula Vista Urban Core Specific Plan, 2006.
    - Water Supply Assessment for the Urban Core Specific Plan, 2005.
    - City of Chula Vista General Plan Update EIR, 2005.
    - City of Chula Vista General Plan Update, 2005.
    - City of Chula Vista Municipal Code – Zoning, 2001.
    - City of Chula Vista Merged Redevelopment Plan, 2004.
    - City of Chula Vista Town Center I Redevelopment Plan, 1978.

Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e). The custodian of the documents comprising the record of proceedings is the Clerk to the City Council, whose office is located at 276 Fourth Avenue, Chula Vista, California, 91910.

The City Council has relied on all of the documents listed above in reaching its decision on the City of Chula Vista Urban Core Specific Plan, even if not every document was formally presented to the City Council or City Staff as part of the City files generated in connection with the City of Chula Vista Urban Core Specific Plan. Without exception, any documents set forth above not found in the project files fall into one of two categories. The first category is those documents that reflect prior planning or legislative decisions of which the City Council was aware in approving the City of Chula Vista Urban Core Specific Plan. (See *City of Santa Cruz v. Local Agency Formation Commission* (1978) 76 Cal.App.3d 381, 391-392 [142 Cal.Rptr. 873]; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6 [252 Cal.Rptr. 620].) The second category are those documents that influenced the expert advice provided to City Staff or consultants, who then provided advice to the City

Council. For that reason, such documents form part of the underlying factual basis for the City Council's decisions relating to the adoption of City of Chula Vista Urban Core Specific Plan. (See Pub. Resources Code, section 21167.6, subd. (e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866 [226 Cal.Rptr. 575]; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155 [39 Cal.Rptr.2d 54].)

2.0 Findings on Significant Project Impacts

The FEIR identified the following significant environmental impacts that the proposed UCSP would potentially cause: visual quality (aesthetics), cultural resources, geology and soils, paleontological resources, water quality, traffic/circulation, noise, air quality (plan inconsistency and cumulative net increase in pollutants), noise, public services, public utilities (water treatment capacity and energy), and hazards/risk of upset. These significant environmental changes or impacts are discussed in FEIR #06-01 in Table 1-1 and in Chapter 5. Some of the impacts can be reduced below a level of significance with the mitigation measures described in the FEIR and below. Certain impacts cannot be substantially lessened or avoided with mitigation; but, as described in the Statement of Overriding Considerations (Section 6.0 of this document), the City Council has determined that the impacts are acceptable because of specific overriding considerations. As summarized in Section 5.0 of this document, potential impacts were evaluated in the FEIR for the following issues and found not to be significant: land use, population and housing, hydrology (groundwater depletion, drainage/flooding), public utilities (water supply, waste management) biology, agriculture, and mineral resources.

The FEIR concluded that the proposed UCSP would be growth inducing because it establishes land uses that can accommodate growth. Based on GPU projections, the proposed UCSP would accommodate a population increase of 18,318 and a housing unit increase of up to 7,100 units over existing conditions. The direct and indirect effects of this growth are evaluated in each of the topical issue analyses. By extension, the mitigation measures for the growth-inducing impacts of the UCSP are set forth in each of the topical issue mitigation measures. The findings made below thus address the impacts resulting from growth. The following subsections describe specific impacts as evaluated in accordance with established criteria; the reasons why they are significant; and where applicable, unavoidable; the mitigation measures, and/or why the mitigation measures proved to be infeasible due to specific economic, social, or other considerations.

2.1 Landform Alteration/Aesthetics

The Final EIR examined the Project's potential impact on Landform Alteration and Visual Quality in Section 5.2.

Criteria of Significance: The proposed project would result in a significant impact to landform alteration/aesthetics if it would:

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- Criterion 1: Have a substantial adverse effect on a scenic vista, or substantially damage scenic resources, including, but not limited to, trees, and rock outcroppings and historic buildings within a scenic highway.
- Criterion 2: Result in architecture, urban design, landscaping, or landforms that negatively detract from the prevailing aesthetic character of the site or surrounding area; or that substantially degrade existing visual character or quality of the site (including blue sky views and solar access) and its surroundings.
- Criterion 3: Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Impact (Criterion 2): The proposed project will result in architecture, urban design or landscaping that potentially degrades existing visual character or quality of the site (including blue sky views and solar access) and its surroundings. (FEIR Section 5.2.3.2, pages 5-60 – 5-72)

The UCSP was determined not to have significant impacts related to scenic vistas or resources in accordance with Criterion 1. However, the UCSP was determined to have a potential significant impact resulting from the degradation of the visual character of the Chula Vista urban core as evaluated in accordance with Criterion 2. The UCSP has the potential to impact the visual environment through fundamental changes in land use and/or to components of the landscape that contribute to visual quality. The proposed UCSP allows for substantial intensification of existing land use and resulting urban visual character, through greater building heights and mass, to accommodate the three-fold increase in population projected for the urban core by the year 2030. Redevelopment and new development within the Subdistricts Area as allowed in the UCSP would change the existing visual character from mostly low-rise (up to 48 feet in height) single-use commercial blocks surrounded by multi-family residential blocks, to a mix of low-rise (up to 45 feet in height) and mid-rise (up to 84 feet in height) mixed-use commercial/office and residential blocks, with high-rise structures (up to 210 feet in height) allowed in the areas surrounding the existing E Street and H Street trolley stations. Existing visual character, blue sky views, solar access, ventilation, and glare/lighting conditions would be affected by this intensification in land use.
To ensure avoidance of potential visual character impacts, all subsequent development projects in the UCSP Subdistricts Area will be required to comply with relevant UCSP provisions as outlined in Mitigation Measure 5.2.5-1.

Mitigation Measure: The following mitigation measure is feasible and is required as a condition of approval and is made binding through these findings.

5.2.5-1: All subsequent development projects in the UCSP Subdistricts Area shall comply with UCSP development regulations and design guidelines which are necessary to reduce or avoid potential impacts to landform alteration and visual quality (including blue sky views, solar access, and ventilation), and which may include but not be limited to the special development regulations for mixed-use projects (p. VI-43), the NTCD and TFA regulations (p. VI-40), and the siting and architectural design guidelines for each district (Chapter VII). Prior to approval of a subsequent development project, the Community Development Director or

Planning and Building Director of the City shall identify the specific provisions of the UCSP which shall be included in the conditions of approval in order to avoid or to reduce potential impacts to below significance.

Significance After Mitigation: Not Significant.

Finding: As identified in Section 5.0, Subsection 5.2 of the EIR, pursuant to section 15091 (a) (1) of the CEQA Guidelines, changes or alterations are required in, or are incorporated into, the project that will substantially lessen or avoid the significant effect identified in the EIR to a level below significance.

Facts in Support of Finding: The proposed UCSP contains urban development regulations and design guidelines to achieve a high quality pedestrian-scaled environment consistent with policies in the GPU for the urban core. As stated in Mitigation Measure 5.2.5-1, all subsequent development projects in the UCSP Subdistricts Area will be required to comply with the UCSP development regulations (UCSP, Chapter VI) and development design guidelines (UCSP. Chapter VII) and other relevant provisions of the UCSP, as part of the design review process, in order to avoid or reduce potential visual character impacts to a level below significance. The design review process would occur for new development and redevelopment within the UCSP Subdistricts Area to determine their compliance with the objectives and specific requirements of the Plan.

Impact (Criterion 3): The proposed project will create a new source of light and glare which will potentially adversely affect light sensitive resources. (FEIR Section 5.2.3.3, pages 5-72 – 5-75)

As evaluated in accordance with Criterion 3, the proposed UCSP would allow for a substantial intensification of existing land uses through taller building heights and greater building massing. Light sensitive activities (e.g. sleeping) could potentially be adversely impacted by light or glare in excess of baseline conditions due to buildout of the UCSP and intensification of land use. To ensure avoidance of potential light and glare impacts, all subsequent development projects in the UCSP Subdistricts Area will be required to comply with the relevant UCSP provisions outlined in Mitigation Measure 5.2.5-2.

Mitigation Measure: The following mitigation measure is feasible and is required as a condition of approval and is made binding through these findings.

5.2.5-2: All subsequent development projects in the UCSP Subdistricts Area shall comply with UCSP development regulations and design guidelines which are necessary to reduce or avoid potential adverse impacts to light or glare and which may include but not be limited to the provisions included in section 5.2.3.3 a through e of this EIR. Prior to approval of a subsequent development project, the Community Development Director or Planning and Building Director of the City shall identify the specific provisions of the UCSP which shall be included in the conditions of approval in order to avoid or to reduce potential light and glare impacts to below significance.

Significance After Mitigation: Not Significant.

Finding: As identified in Section 5.0, Subsection 5.2 of the FEIR, pursuant to section 15091 (a) (1) of the CEQA Guidelines, changes or alterations are required in, or are incorporated into, the project that will substantially lessen or avoid the significant effect identified in the EIR to a level below significance.

Facts in Support of Finding: Various provisions in the UCSP development regulations and design guidelines (UCSP Chapters VI and VII) serve to control light and glare sources and ensure that light pollution and glare would be minimal. For example, the special regulations for mixed-use projects require that all mixed-use projects "minimize the effects of any exterior noise, odors, glare, and other potentially significant effects" (UCSP, Chapter VI, Section H, p. VI-44). For each UCSP District, a set of private development and public realm design guidelines (UCSP, Chapter VIII) include lighting requirements to reduce glare, exposure or brightness, angle and depth of field, and duration. Many lighting sources are encouraged to be timed or motion-sensitized. As stated in Mitigation Measure 5.2.5-2, all subsequent development projects in the UCSP Subdistricts Area will be required to comply with the UCSP development regulations (UCSP, Chapter VI) and development design guidelines (UCSP. Chapter VII) and other relevant provisions of the UCSP, as part of the design review process, in order to avoid or reduce potential light and glare impacts to a level below significance. Therefore, the proposed UCSP would not result in a significant impact to the prevailing light and glare conditions of the site or surrounding area.

2.2 Cultural Resources

The FEIR examined the UCSP's potential impact on Cultural Resources in Section 5.3.

Criteria of Significance: The proposed Urban Core Specific Plan would result in a significant impact to cultural resources if it would:

- Criterion 1: Cause a substantial adverse change in the significance of a historical architectural resource that is listed on, or determined to be eligible for listing on, the National Register of Historic Places or the California Register of Historic Resources; is listed on or determined to be eligible for listing on the Chula Vista List of Historic Sites; or that meets any of the following Criterion:
  - Is associated with events that have made a significant contribution to the broad patterns of history at the local, regional, state, or national level;
  - Is associated with the lives of significant persons in the past on a local, regional, state, or national level;
  - Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values; or
  - Has yielded, or may be likely to yield, information important in history or prehistory.

- Criterion 2: Cause a substantial adverse change in the significance of an important archaeological resource or disturb any human remains, including those interred outside of formal cemeteries.

Impact (Criterion 1): The proposed project will cause a substantial adverse change in the significance of a historical architectural resource. (FEIR Section 5.3.3.1, pages 5-95 - 5-99)

As evaluated pursuant to Criterion 1, future development in accordance with the UCSP could have a significant impact on historic architectural resources through demolition or substantial alteration of identified or as yet unidentified historic resources. A total of eleven sites within the UCSP Subdistricts Area have thus far been locally designated or determined to be eligible for local designation as historically significant. Six of the eleven sites are currently listed on the Chula Vista List of Historic Sites. These six sites comprise the homes or sites of early prominent Chula Vista persons (Greg Rogers House, Orchard House, Mark Skinner House) or the sites of early important civic and business functions (First Congregational Church, the First Women's Clubhouse, the Melville Block). The other five sites were determined to be eligible for local listing in September 2005 by having met the National and California Register eligibility Criterion and the CEQA Guidelines Criterion of historic significance. These five eligible sites are commercial properties concentrated along Third Avenue in the UCSP Village District and are representative of commercial development of the 1920s, 40s or 50s. The physical demolition, destruction, relocation or alteration of any of these eleven historic resources or their immediate surroundings such that the significance of an historic resource would be materially impaired under CEQA Guidelines Section 15064.5(b)(2) would constitute a significant and direct impact.

The potential for the existence of other as yet unidentified significant historic properties within the UCSP Subdistricts Area is also considered potentially significant given the number of older commercial structures and homes throughout the UCSP Subdistricts Area.

Mitigation Measures: The following mitigation measures are feasible and are required as a condition of approval and are made binding through these findings.

5.3.5-1 For a structure listed on, or eligible for listing on, the Chula Vista List of Historic Sites or State and Federal historic registers, the project applicant shall retain the structure in-place and maintain, repair, stabilize, rehabilitate, restore, preserve or reconstruct the structure in a manner consistent with the Secretary of the Interior's *Standards for the Treatment of Historic Properties* with *Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* (1995), Weeks and Grimmer ("Secretary's Standards"). Prior to issuance of an Urban Core Development Permit (UCDP) or other discretionary permit, the project applicant shall prepare detailed construction plans under the supervision of a qualified architectural historian or historic architect for review and approval by the Community Development Director. The Community Development Director shall retain, at the project applicant's

expense, a qualified historic architect to review the plans and to certify that the project will comply with the Secretary's Standards and would not result in the loss of the structure's listing, or eligibility for listing, on the City, State or Federal register of historic resources.

5.3.5-2 Where there is substantial evidence that it is not feasible for a structure listed on, or eligible for listing on the Chula Vista List of Historic Sites or State or Federal historic registers to be retained in-place, the project applicant shall provide for relocation and maintenance, repair, stabilization, rehabilitation, restoration or preservation of the structure in a manner consistent with the Secretary of the Interior's Standards for the Interior's *Standards for the Treatment of Historic Properties* with *Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* (1995), Weeks and Grimmer ("Secretary's Standards") at a new location subject to the approval of the City. Prior to issuance of an Urban Core Development Permit (UCDP) or other discretionary permit, the project applicant shall prepare detailed relocation plans under the supervision of a qualified architectural historian or historic architect for review and approval by the Community Development Director. The Community Development Director shall retain, at the project applicant's expense, a qualified historic architect to review the plans and to certify that the project will comply with the Secretary's Standards and would not result in the loss of the structure's listing, or eligibility for listing, on the City, State or federal register of historic resources.

5.3.5-3 Where there is substantial evidence that it is not feasible, as determined by CEQA Section 15064.5, (b) (4), for a structure listed on or eligible for listing on the Chula Vista List of Historic Sites or State or Federal historic registers to be retained in-place or to be relocated to another location satisfactory to the City, the project applicant shall:

Provide for documentation of the historical structure before it is removed from the development site, including but not limited to photographic documentation of the exterior and interior of the structure, and "as built" drawings of the structure according to the standards of the Historic American Building Survey (HABS, Level I). Such historical documentation shall be provided to the Chula Vista Redevelopment Corporation (CVRC) or Resource Conservation Commission (RCC), as applicable, before a demolition permit is issued by the City for the structure.

5.3.5-4 For those structures 45 years or older and not previously evaluated, a determination of historic significance shall be made based on the significance Criterion in Section 5.3.2 of this EIR (and repeated below) prior to the issuance of a demolition permit.

A site or structure may be listed on the Chula Vista List of Historic Sites if it possesses integrity (of location, design, setting, materials, workmanship, feeling and association) and meets at least one of the following criteria:

- Is associated with events that have made a significant contribution to the broad patterns of history at the local, regional, state, or national level;

- Is associated with the lives of significant persons in the past on a local, regional, state, or national level;

- Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values; or

- Has yielded, or may be likely to yield, information important in history or prehistory.

If a resource is determined by the City to be historically significant pursuant to the above listed criteria, Mitigation Measure 5.3.5-1, 5.3.5-2, or 5.3.5-3 shall be implemented as applicable and determined by the Lead Agency in accordance with CEQA Guidelines Section 15064.5 (a) and (b).

Significance After Mitigation: Significant.

Finding: Pursuant to section 15091(a)(3) of the State CEQA Guidelines, specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR. While mitigation measure 5.3.5-3 is feasible and will be completed, it may in some cases not lessen impacts to a level below significance. Adoption of a Statement of Overriding Consideration will be required should the decision makers choose to approve the proposed project.

Facts in Support of Finding: Implementation of mitigation measures 5.3.5-1, 5.3-5-2, and 5.3.5-4 would reduce potential impacts to historic resources to below a level of significance. In some circumstances, such as where economic constraints or social considerations render implementation of mitigation measures 5.3.5-1, 5.3.5-2 infeasible, implementation of mitigation measure 5.3.5-3 which provides for documentation of an historic resource, may not mitigate significant impacts to a point where clearly no significant effect on the environment would occur. In that event, a potential impact to historic resources may be significant and unavoidable. In the absence of site specific development proposals the extent of impact as a result of implementation of mitigation measure 5.3.5-3 (photo documentation) is speculative at this time.

Impact (Criterion 2): The proposed project would potentially cause a substantial adverse change in the significance of an archaeological resource or disturb human remains. (FEIR Section 5.3.3.2, pages 5-99 - 5-100)

The UCSP Subdistricts Area is mapped as having low sensitivity for the occurrence of archaeological resources. Although the likelihood of encountering significant archaeological resources and human remains is low, the potential does exist. In the unlikely event that prehistoric cultural materials are found during subsurface disturbance resulting from future developments, there would be a significant archaeological impact as evaluated in accordance with Criterion 2.

Mitigation Measure: The following archaeological mitigation measure is feasible and is required as a condition of approval and is made binding through these findings.

5.3.5-5 The likelihood of encountering archaeological resources is low within the UCSP Subdistricts Area. The following mitigation shall only be applied to projects which involve subsurface excavation to the depth of greater than or equal to six feet, or for any project site that has not had substantial previous excavation. Prior to approval of any construction permits, including but not limited to, the first Grading Permit, Demolition Permit, and Urban Core Development Permit, the Community Development Director shall verify that the requirements for Archaeological Monitoring and Native American monitoring, if applicable, have been noted on the appropriate construction documents.

- The applicant/developer shall submit documentation to the Community Development Director identifying the qualified Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, the areas to be monitored, and a construction schedule indicating when and where monitoring will occur.
- During construction, the monitor shall be present full-time during soil remediation and grading/excavation/trenching activities which could result in impacts to archaeological resources, and shall document field activity and in the case of any discoveries.
- In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the resident engineer or building inspector, as appropriate. The monitor shall immediately notify the PI (unless the Monitor is the PI) of the discovery and the PI and Native American representative, if applicable, shall evaluate the significance of the resource.
- Once encountered, artifacts associated with an archaeological feature or deposit are required to be documented in place, analyzed in a laboratory setting and prepared for curation in accordance CEQA provisions and local guidelines.
- If human remains are discovered, work shall halt in that area and the procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken.

Significance After Mitigation: Not Significant.

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the FEIR to below a level of significance.

Facts in Support of Finding: Impacts to potentially significant archaeological resources would be avoided or reduced to below a level of significance through implementation of an archaeological monitoring program, described above, during future projects' subsurface excavation.

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2.3 Geology and Soils

The FEIR examined the UCSP's potential impact on Geology and Soils in Section 5.4.

Criteria of Significance: The proposed UCSP would have a significant impact on geology and soils if it would:

- Criterion 1: Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  (a) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault,
  (b) Strong seismic ground shaking,
  (c) Seismic-related ground failure, including liquefaction, or
  (d) Landslides; or
- Criterion 2: Result in substantial soil erosion or the loss of topsoil;
- Criterion 3: Is located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse;
- Criterion 4: Is located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating a substantial risk to life or property; and
- Criterion 5: Has soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for disposal of waste water.

Impact (Criteria 1, 3 and 4): Implementation of the proposed project would potentially expose people or structures to substantial risk or injury or loss of life or destruction of property caused by soils, seismic, or other geologic hazards. (FEIR Section 5.4.3, pages 5-111 – 5-113)

The UCSP area is potentially subject to strong ground shaking by an earthquake along the active Rose Canyon fault zone, or other active faults in the region. The Subdistricts Area may additionally be subject to liquefaction along its western boundary. Compressible and expansive soils also have the potential to be encountered by future development throughout the UCSP Subdistricts Area. As evaluated in accordance with Criteria 1, 3 and 4, buildout of the UCSP would result in an increase in housing, office space, retail space, and hotels that would be subject to these potentially significant seismic and soils hazards. Therefore, there would be a proportionate increase in the risk of personal and property damage as the population within the urban core increases. The proposed project was determined not to have significant impacts related to soil erosion or septic tank use, as evaluated in accordance with Criteria 2 and 5.

Mitigation Measures: The following mitigation measures are feasible and are required as a condition of approval, and are made binding through these findings.

5.4.5-1 Prior to the approval of each subsequent development project, the project applicant shall submit a comprehensive soil and geologic evaluation of the project site to the City Engineer and/or Building Official for review and

approval. The evaluation shall be prepared by a licensed geotechnical engineer in order to identify site-specific conditions and to determine whether potential soil and geologic hazards exist on the site. The evaluation shall include, but not be limited to, a delineation of specific locations where liquefiable, compressive, and expansive soils would affect structural stability and where graded slopes would expose bedrock susceptible to instability. Liquefiable, expansive, or compressive soils shall be removed from the site and shall be replaced with compacted fill.

5.4.5-2 Prior to the issuance of a building permit for each subsequent development project, the City Building Official shall verify that the design of all structures proposed for a specific site comply with the requirements of all federal, state and local building codes and regulations governing earthquake safety and structural stability and with the standard practices of the Association of Structural Engineers of California.

Significance After Mitigation: Not significant.

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to below a level of significance.

Facts in Support of Finding: Implementation of project-specific mitigation measures 5.4.5-1 and 5.4.5-2 requiring comprehensive site-specific soil and geologic evaluations and verification of building code and seismic safety compliance would reduce or avoid potentially significant impacts resulting from groundshaking, liquefaction, and compressible and expansive soils.

2.4 Paleontological Resources

The FEIR examined the UCSP's potential impact on Paleontological Resources in Section 5.5.

Criterion of Significance: The proposed UCSP would have a significant impact on paleontological resources if it would:

- Criterion 1: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Impact (Criterion 1): Implementation of the Urban Core Specific Plan would potentially destroy a unique paleontological resource or site or unique geologic feature. (FEIR Section 5.5.3, pages 5-118 – 5-119)

The UCSP area contains a large expanse of moderate paleontological resource sensitivity. As evaluated in accordance with Criterion 1, exposure or disturbance of unnamed nearshore marine sandstone and the Linda Vista Formation would potentially significantly impact paleontological resources. Because the UCSP area is fully developed

with urban uses, future grading would typically be minimal except in areas with sub-garages and sub-floors. Development proposed in areas of moderate sensitivity that propose to grade in excess of 2,000 cubic yards and five feet deep require mitigation.

Mitigation Measure: The following mitigation measure is feasible and is required as a condition of approval, and is made binding through these findings.

5.5-1 Subsequent development projects that propose grading in excess of 2,000 cubic yards and five feet depth in areas of moderate sensitivity for paleontological resources shall be required to implement a pre-construction or construction monitoring program, or both, as a condition of approval. All mitigation programs shall be performed by a qualified professional paleontologist, defined here as an individual with a M.S. or Ph.D. in paleontology or geology who has proven experience in San Diego County paleontology and who is knowledgeable in professional paleontological procedures and techniques. Fieldwork may be conducted by a qualified paleontological monitor, defined here as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor shall always work under the direction of a qualified paleontologist.

Pre-construction mitigation. This method of mitigation is only applicable to instances where well-preserved and significant fossil remains, discovered in the assessment phase, would be destroyed during initial clearing and equipment move-on. The individual tasks of this program include:

1. Surface prospecting for exposed fossil remains, generally involving inspection of existing bedrock outcrops but possibly also excavation of test trenches;
2. Surface collection of discovered fossil remains, typically involving simple excavation of the exposed specimen but possibly also plaster jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
3. Recovery of stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including description of lithologies of fossil-bearing strata, measurement and description of the overall stratigraphic section, and photographic documentation of the geologic setting;
4. Laboratory preparation (cleaning and repair) of collected fossil remains, generally involving removal of enclosing rock material, stabilization of fragile specimens (using glues and other hardeners), and repair of broken specimens;
5. Cataloging and identification of prepared fossil remains, typically involving scientific identification of specimens, inventory of specimens, assignment of catalog numbers, and entry of data into an inventory database;
6. Transferal, for storage, of cataloged fossil remains to an accredited institution (museum or university) that maintains paleontological collections (including the fossil specimens, copies of all field notes, maps, stratigraphic sections, and photographs); and
7. Preparation of a final report summarizing the field and laboratory methods used, the stratigraphic units inspected, the types of fossils recovered, and the significance of the curated collection.

Construction mitigation. Under this program, mitigation occurs while excavation operations are underway. The scope and pace of excavation generally dictate the scope and pace of mitigation. The individual tasks of a construction mitigation program typically include:

1. Monitoring of excavation operations to discover unearthed fossil remains, generally involving inspection of ongoing excavation exposures (e.g., sheet graded pads, cut slopes, roadcuts, basement excavations, and trench sidewalls);
2. Salvage of unearthed fossil remains, typically involving simple excavation of the exposed specimen but possibly also plaster jacketing of large and/or fragile specimens, or more elaborate quarry excavations of richly fossiliferous deposits;
3. Recovery of stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including description of lithologies of fossil-bearing strata, measurement and description of the overall stratigraphic section, and photographic documentation of the geologic setting;
4. Laboratory preparation (cleaning and repair) of collected fossil remains, generally involving removal of enclosing rock material, stabilization of fragile specimens (using glues and other hardeners), and repair of broken specimens;
5. Cataloging and identification of prepared fossil remains, typically involving scientific identification of specimens, inventory of specimens, assignment of catalog numbers, and entry of data into an inventory database;
6. Transferal, for storage, of cataloged fossil remains to an accredited institution (museum or university) that maintains paleontological collections, including the fossil specimens, copies of all field notes, maps, stratigraphic sections and photographs; and
7. Preparation of a final report summarizing the field and laboratory methods used, the stratigraphic units inspected, the types of fossils recovered, and the significance of the curated collection.

Significance After Mitigation: Not Significant.

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to below a level of significance.

Facts in Support of Finding: Exposure or disturbance of potentially significant paleontological resources has the potential to occur in areas that are proposed to be graded in excess of 2,000 cubic yards and five feet deep. Future projects that propose grading in excess of these thresholds shall be required to implement a pre-construction or construction monitoring program, or both, as a condition of subsequent project approval. All mitigation programs are required to be performed by a qualified professional paleontologist. Potential paleontological impacts arising from UCSP implementation will thus be avoided or reduced to below significance.

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2.5 Hydrology and Water Quality

The FEIR examined the Project's potential impact on Hydrology and Water Quality in Section 5.7.

Criteria of Significance: The proposed UCSP would result in a significant impact to hydrology and water quality if it would:

- Criterion 1: Violate any water quality standards or waste discharge requirements, or otherwise substantially degrade water quality.
- Criterion 2: Substantially deplete groundwater resources or aquifer recharge areas.
- Criterion 3: Substantially alter the existing drainage pattern of the site or area or substantially increase surface runoff in a manner which would result in on- or off-site flooding or exceed capacity of existing drainage systems.

Impact (Criterion 1): The proposed UCSP would have potentially significant long term and short term construction impacts to water quality. (FEIR Section 5.7.3.1, pages 5-138-140)

The Plan was determined to have a significant impact resulting from the potential to degrade water quality as evaluated in accordance with Criterion 1. No significant hydrology/water quality impacts would result in accordance with Criteria 2 and 3.
Implementation of the proposed UCSP would allow for a three-fold increase in population and associated intensification of existing urban land uses which will result in an increase in direct runoff to drainage basins, municipal storm sewer systems, and eventual drainage to surface water and/or the ocean. This runoff will contain typical urban runoff pollutants such as sediment, pathogens, heavy metals, petroleum products, nutrients (phosphates and nitrates) and trash. Therefore, this comprises a potentially significant long-term water quality impact.

The construction activities of subsequent individual projects would also potentially cause short-term water quality impacts through direct discharge of pollutants, soil excavation/sedimentation, and through encountering of shallow groundwater during subfloor grading. This comprises a potentially significant short-term water quality impact.

Mitigation Measures: The following mitigation measures are feasible and are required as a condition of approval, and are made binding through these findings.

5.7-1 Prior to approval of subsequent individual development projects, compliance with all applicable federal, state and local laws and regulations regarding water quality (e.g. Jurisdictional Urban Runoff Management Program (JURMP), Standard Urban Stormwater Mitigation Plan (SUSMP), National Pollutant Discharge Elimination System (NPDES), Storm Water Pollution Prevention Plan (SWPPP), and City Development and Redevelopment Projects Storm Water Manual) shall be demonstrated to the satisfaction of the City Engineer.

5.7-2 Prior to approval of subsequent individual development projects, project applicants are required to identify storm water pollutants that are potentially generated and shall demonstrate to the satisfaction of the City Engineer that the proposed on-site storm drain systems fully mitigate drainage impacts and meet all federal, state, and regional water quality objectives and all City standards and requirements. Land development construction drawings and associated required reports, i.e., a hydrology and water quality study, shall include details, notes, and discussions relative to the required or recommended retention measures and Best Management Practices (BMPs). Permanent storm water BMP requirements shall be incorporated into the project design and all subsequent individual development projects are required to complete the applicable Storm Water Compliance Forms and comply with the City of Chula Vista's Storm Water Management Standards Requirements Manual.

5.7-3 The City of Chula Vista requires that all new development and significant redevelopment projects comply with the requirements of the NPDES Municipal Permit, Order No. 2001-01. According to said permit, all projects falling under the Priority Development Project Categories are required to comply with the Standard Urban Storm Water Mitigation Plans (SUSMP) and Numeric Sizing Criterion. Future projects shall comply with all applicable regulations, established by the United States Environmental Protection Agency (USEPA), as set forth in the National Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff and storm water discharge, and any regulations adopted by the City of Chula Vista pursuant to the NPDES regulations and requirements. Further, the applicant shall file a Notice of Intent (NOI) with the State Water Resource Control Board to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction Activity and shall implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading activities. The SWPPP shall include both construction and post-construction pollution prevention and pollution control measures, and shall identify funding mechanisms for the maintenance of post-construction control measures.

5.7-4 Prior to issuance of an Urban Core Development Permit or other discretionary permit, all subsequent individual development projects shall demonstrate to the satisfaction of the Community Development Director, conformance with Mediterranean/indigenous landscaping and other relevant design recommendations provided in UCSP Chapter VII Development Design Guidelines.

Significance After Mitigation: Not Significant.

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to below a level of significance.

Facts in Support of Finding: Potential short-term (construction) and long-term (intensified urban runoff) water quality impacts would be avoided or reduced to below significance through mitigation measures 5.7-1 through 5.7-4 which require future project's demonstration of compliance with all applicable federal, state and local water quality regulations, including preparation of project-specific hydrology and water quality studies, implementation of pollution prevention design measures, construction and post-construction pollution prevention and control measures, and compliance with relevant landscaping design requirements.

2.6 Traffic, Circulation, and Access

The FEIR examined the UCSP's potential impact on Traffic, Circulation, and Access in Section 5.8.

Criteria of Significance: The significance criteria to evaluate the project impacts to intersections are based on the City of Chula Vista's Guidelines for Traffic Impact Studies in the City of Chula Vista, February 13, 2001 and on the City of Chula Vista's adopted General Plan. At intersections, the measurement of effectiveness (MOE) is based on allowable increases in delay. At roadway segments, the MOE is based on allowable increases in the average daily traffic (ADT).

Intersections Criteria. Within the Urban Core of the City of Chula Vista, the goal is to achieve level of service (LOS) D or better at all signalized and unsignalized intersections.

- A project-specific impact would occur if the operations at intersections are at LOS E or F and the project trips comprise five percent or more of the entering volume.
- A cumulative impact would occur if the operations at intersections are at LOS E or F only.

Roadway Segments Criteria. The impact Criterion for Urban Core Circulation Element roadways (Gateway Street, Urban Arterial, Commercial Boulevard, Downtown Promenade) are as follows:

- A roadway segment that currently operates at LOS D or better and with the proposed changes would operate at LOS E or F at General Plan buildout is considered a significant impact.
- A roadway segment that currently operates at LOS E would operate at LOS F at General Plan buildout, or which operates at LOS E or F and would worsen by 5 percent or more at General Plan buildout is considered a significant impact.

Impact: The UCSP will cause significant circulation impacts to intersections and roadway segments. (FEIR Section 5.8.3.1 – Pages 5-164 - 5-173)

As evaluated in accordance with intersections and roadway segments criteria, the proposed UCSP would result in significant impacts to traffic. A substantial increase in traffic on area roadways and at area intersections will result from planned population growth in the urban core area over the next 25 years. For the year 2030 condition, 19 intersections (including nine freeway on/off ramps) are calculated to operate at LOS E or F.

In addition, two roadway segments are calculated to operate at LOS E or F for the 2030 condition.

Mitigation measures are identified in the FEIR to avoid or reduce significant impacts to all but three intersections and one roadway segment. Impacts to the three intersections and one roadways segment would remain significant and unavoidable.

Mitigation Measures: The following mitigation measures are feasible and are required as a condition of approval and are made binding through these findings.

5.8.5 -1 **Intersection Improvements.** Impacts to the 19 affected intersections will be mitigated to below significance by the implementation of improvements that have been divided into three tiers for phased implementation based on need and enhancement of the overall street network. Generally, time frames associated with the tiered improvements are anticipated as short-, mid- and long-term. In each tier, the City's existing TMP will determine the order in which projects are implemented during the biannual Capital Improvement Program (CIP) review. The Tier 1 improvements would be included in the current CIP and subsequently monitored for improvement within the first five years of implementation of the UCSP. It should be noted that three of the intersections (#7, #16, and #21) are proposed as project features rather than as needed to improve intersection LOS and most likely will be related to and timed with implementation of streetscape improvements along Third Avenue. The intersection numbers in the improvements described below correspond to the intersection numbering system used in the TIA (Appendix C of the EIR):

a. Tier 1 Improvements

- #1 Bay Boulevard/I-5 Southbound Ramp/E Street: Add an eastbound through and right-turn lane, southbound right-turn lane, and northbound right-turn lane. Coordination with the California Department of Transportation (Caltrans) will be required for this improvement.
- #2 I-5 Northbound Ramp/E Street: Add a westbound right-turn lane. Coordination with Caltrans will be required for this improvement
- #7 Third Avenue/E Street: Convert the northbound and southbound shared right-through lane into exclusive right-turn lanes.
- #16 Third Avenue/F Street: Separate the southbound shared through-right lane into an exclusive through and right-turn lanes, convert the northbound shared through-right lane into an exclusive right-turn lane.
- #21 Third Avenue/G Street: Convert the northbound/southbound shared through-right lane into exclusive right-turn lanes.
- #24 I-5 Southbound Ramp/H Street: Add a southbound left, eastbound through and right-turn lanes. Coordination with Caltrans will be required for this improvement.
- #25 I-5 Northbound Ramp/H Street: Add a westbound through and right-turn lane and restripe south approach to accommodate dual left-turn lanes. Coordination with Caltrans will be required for this improvement.
- #26 Woodlawn Avenue/H Street: Change Woodlawn Avenue to a one-way couplet. This improvement is required to serve the intense

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redevelopment occurring on both sides of H Street. The couplet improvement is not required mitigation further north toward E Street.

- #27 Broadway/H Street: Add an eastbound transit queue jumper lane and westbound through and right-turn lanes.
- #28 Fifth Avenue/H Street: Change the northbound/southbound approaches to include protective plus permissive phasing and add a westbound right-turn lane.
- #29 Fourth Avenue/H Street: Add an eastbound/westbound right-turn lane.
- #44 Fourth Avenue/SR-54 Eastbound Ramp: Add an eastbound right-turn lane. Coordination with Caltrans will be required for this improvement.

b. Tier 2 Improvements

- #34 Broadway/SR-54 Westbound Ramp: Add a westbound right-turn lane. Coordination with Caltrans will be required for this improvement.
- #59 J Street/I-5 Northbound Ramp: Add an eastbound left-turn and westbound right-turn lane. Coordination with Caltrans will be required for this improvement.
- #61 L Street/Bay Boulevard: Signalize the intersection, add a southbound left-turn lane, and a northbound right-turn overlap phase to the traffic signal.
- #63 Bay Boulevard/I-5 Southbound Ramp: Signalize the intersection. Coordination with Caltrans will be required for this improvement.
- #64 Industrial Boulevard/I-5 Northbound Ramp: Signalize the intersection. Coordination with Caltrans will be required for this improvement.
- H Street from four lanes to six lanes from I-5 to Broadway

c. Tier 3 Improvements

- #13 Broadway/F Street: Add an eastbound right-turn lane.
- #45 Fourth Avenue/Brisbane Street: Add a southbound right-turn overlap phase to the traffic signal.
- #57 Second Avenue/D Street: Convert to an all-way stop controlled intersection.

On an annual basis during buildout of the UCSP, the City shall apply the TMP to monitor actual performance of the street system in the Subdistricts Area by conducting roadway segment travel time studies in accordance with the City's Growth Management Program and Traffic Threshold Standards. The results of the annual study under the TMP will be used by the City to determine the timing and need for implementation of improvements to the nineteen intersections identified above as having potential significant impacts. The City shall implement the intersection improvements in phases based on the results of the annual TMP and on need and enhancement to the function of the overall street network. In addition to determining timing and need, this systems and operations monitoring approach should also be used to further ascertain final design details of the intersection improvements and may include consideration

of the effects on traffic flow as well as the impacts/benefits to other travel modes (e.g., pedestrians and bicycles) that are foundational to the successful implementation of the Specific Plan.

5.8.5-2 **Roadway Segment Improvements**. During build-out of the UCSP, the City shall apply the Traffic Monitoring Program (TMP) to monitor actual performance of the street system in the Subdistricts Area by conducting roadway segment travel time studies in accordance with the City's Growth Management Program and Traffic Threshold Standards. The results of the annual study under the TMP will be used by the City to determine the timing and need for implementation of improvements to the street segments identified as having potential significant impacts. The City shall implement the following street segment improvements: 1) based on the results of the annual TMP; or 2) based on need and enhancement to the function of the overall street network; and 3) in a manner that efficiently implements with phasing of necessary adjacent intersection improvements.

1) H Street between I-5 and Broadway would be reclassified as a six-lane gateway. As a result, the acceptable ADT would increase and result in an acceptable LOS.
2) Third Avenue between E Street and G Street would be constructed as a two-lane downtown promenade to facilitate an enhanced pedestrian environment along the traditional commercial village. As a result, the acceptable ADT along the segment would decrease and result in an unacceptable LOS. As such, impacts to Third Avenue will be significant and unavoidable. However, the Third Avenue corridor intersections at E, F and G Streets would all operate at an acceptable LOS.

5.8.5-3 Prior to issuance of an Urban Core Development Permit, subsequent development projects shall prepare a traffic assessment to quantify the projects' potential traffic impacts. Subsequent projects will be required to contribute their fair share to the Tiered Improvements listed above under Mitigation 5.8.5.1. Mitigation may be in the form of:

1) Payment of Transportation Development Impact Fee (TDIF), as may be established in the future for the western portion of the City;
2) Payment of existing Traffic Impact Signal Fee;
3) Construction of improvements within the project boundaries; and/or
4) Early advancement of improvements beyond the project boundaries, subject to a reimbursement agreement.

The City's TDIF program for the west side of the City, including the Urban Core is anticipated to be developed within the subsequent twelve months following adoption of the UCSP. The TDIF will clearly establish the costs of the improvements identified above as well as the fair share costs to be applied to all subsequent development projects. Once the TDIF has been established, the fee will be consistently applied to all subsequent development projects, until such time that the TDIF is amended or rescinded. In the interim, if subsequent development projects are processed and approved prior to the establishment of a TDIF, a condition of approval will be included that prior to

issuance of building permits the project will contribute to the TDIF, as may be established.

In addition, the City will participate in multi-jurisdictional efforts to improve freeway ramps and segments in the Urban Core area as follows:

5.8.5-6 The City shall participate in a multi-jurisdictional effort conducted by Caltrans and SANDAG to assist in developing a detailed engineering study of the freeway right-of-way that will identify transportation improvements along with funding, including federal, state, regional, and local funding sources, and phasing, that would reduce congestion consistent with Caltrans Standards on the I-5 South corridor from the State Route 54 (SR-54) interchange to State Route 75 (SR-75)/Palm Avenue (the "I-5 South Corridor") (hereinafter, the "Plan). Local funding sources may include fair share contributions by private development based on nexus as well as other mechanisms. The Plan required by this mitigation shall include the following:

1) The responsible entities (the "Entities") included in this effort will include, but may not be limited to the City, the Port, SANDAG, and Caltrans. Other entities may be included upon the concurrence of the foregoing Entities.

2) The Plan will specifically identify physical and operational improvements to I-5, relevant arterial roads and transit facilities (the "Improvements"), that are focused on specific transportation impacts and will also identify the fair share responsibilities of each Entity for the construction and financing for each Improvement. The Plan may also identify other improvements necessary to address regional transportation needs, but for purposes of this mitigation measure, the Improvements included in the Plan need only be designed to mitigate the impacts created by the Proposed Project.

3) The Plan will set forth a timeline and other agreed-upon relevant criteria for implementation of each Improvement.

4) The Plan will identify the total estimated design and construction cost for each Improvement and the responsibility of each Entity for both implementation and funding of such costs.

5) The Plan will include the parameters for any fair-share funding contributions to be implemented, that would require private and/or public developers to contribute to the costs, in a manner that will comply with applicable law.

6) In developing the Plan, the Entities shall also consider ways in which the Improvements can be coordinated with existing local and regional transportation and facilities financing plans and programs, in order to avoid duplication of effort and expenditure; however, the existence of such other plans and programs shall not relieve the Entities of their collective obligation to develop and implement the Plan as set forth in this mitigation measure. Nothing in the Plan shall be construed as relieving any Entity (or any other entity) from its independent responsibility (if any) for the implementation of any transportation improvement.

7) The City shall seek adoption of the Plan before the City Council upon the completion of the multi-jurisdictional effort to develop the Plan. The City shall report, to their governing bodies regarding the progress made to develop the Plan within six months of the first meeting of the Entities. Thereafter, the City shall report at least annually regarding the progress of the Plan, for a period of not less than five years, which may be extended at the request of the City Council.

8) The Plan shall also expressly include each Entity's pledge that it will cooperate with each other in implementing the Plan.

The failure or refusal of any Entity other than the City to cooperate in the implementation of this mitigation measure shall not constitute failure of the City to implement this mitigation measure; however, the City shall use its best efforts to obtain the cooperation of all responsible Entities to fully participate in order to achieve the goals of the mitigation measure.

Significance After Mitigation: Significant.

Finding: Pursuant to section 15091(a)(3) of the State CEQA Guidelines, specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR. Adoption of a Statement of Overriding Consideration will be required should the decision makers choose to approve the proposed project.

Facts in Support of Finding: The mitigation measures listed above are feasible and will be completed, however they do not substantially lessen all of the significant traffic impacts identified in the FEIR. The significant impacts to roadways and intersections will be mitigated to below significance by implementation of the improvements recommended in Mitigation Measures 5.8.5-1, 5.8.5-2 and 5.8.5-3, to all impacted intersections and roadway segments except three intersections (#27 Broadway/H Street, #33 Hilltop Drive/H Street and #54 Third Avenue/J Street) and one roadway segment (Third Avenue between E and G Streets). Impacts to these 3 intersections and 1 roadway segment would remain significant and unavoidable.

Recommendations at intersections #27 Broadway/H Street, #33 Hilltop Drive/H Street, and #54 Third Avenue/J Street, do not improve conditions to an acceptable LOS due to right-of-way (ROW) and design constraints. Measures to reduce these intersection impacts to below significance are infeasible given the overriding social consideration of an enhanced pedestrian environment. The following describes the constraints to mitigating these three intersections:

- At the Broadway/H Street intersection (#27), an additional northbound and southbound through lane would be required in order to achieve an acceptable LOS D condition. However, this improvement would require extensive widening of Broadway and H Street , beyond the existing 82-foot public right-of way, to allow for lane drops. Up to an additional 22 feet (11 feet per lane) would be required to accommodate an additional northbound and southbound lane in an area currently developed with commercial and office uses and where new development is planned to maintain the same street wall frontage. Furthermore, the widening would create longer pedestrian crossings (104-feet wide) which are contrary to the Project Objective of creating a safe, walkable urban environment. As such, the recommended improvements of the eastbound queue jumper lane and the additional westbound through and right-turn lanes would improve the intersection from LOS F to LOS E conditions.
- At the Hilltop Drive/H Street intersection (#33), no improvements would be recommended due to ROW constraints. The poor LOS at this intersection is primarily caused by the high traffic volumes in the eastbound/westbound movements. Additional through and/or turn lanes would be required in order to improve this intersection to an acceptable LOS. With no improvements, this intersection would remain at LOS E during both peak periods.
- At the Third Avenue/J Street intersection (#54), the required improvement of an additional southbound right-turn lane would impact the existing commercial building (Henry's Marketplace), which is built adjacent to the sidewalk. Therefore, this improvement is not recommended. As a result, the LOS would remain at LOS E. However, if the property were to redevelop in the future, additional ROW could be obtained for the southbound right-turn lane.

The significant and unavoidable impact to the roadway segment of Third Avenue between E and G Streets results from the design of the project, which is intended to reduce Third Avenue to a two-lane downtown promenade to facilitate an enhanced pedestrian environment along the traditional commercial village. Although the planned improvements would result in an unacceptable LOS, the planned improvement to Third Avenue has overriding benefits towards meeting the project objectives of creating a more pedestrian friendly and active streetscape that accommodates multi-modes of transportation rather than just accommodating the automobile. Although the turning volumes in this segment of Third Avenue are less than other segments in the corridor, turning lanes are proposed to remove turning traffic from the through traffic. Turning vehicles would yield to anticipated high pedestrian traffic volumes and the turn lanes allow these yielding vehicles to pull out of the through travel lanes and allow a right-turn lane and a left turn lane to be provided. The intersection configuration would adequately accommodate future traffic demands along Third Avenue while providing a significantly

enhanced pedestrian friendly streetscape. Measures to reduce traffic impacts to this roadway segment to below significance would be counterproductive to achieving the socially beneficial goal of safe, walkable streetscapes.

Issue (Nonautomotive Modes of Transportation): The proposed UCSP has the potential to impact pedestrian, bicycle and public transit services. (FEIR Sections 5.8.3.2 through 5.8.3.4, pages 5-173-178)

While some intersection and street segment improvements may lower automotive LOS for the segments, they serve to increase alternate forms of mobility by introducing traffic calming elements, pedestrian improvements and paseos. The UCSP and City of Chula Vista Bikeway Master Plan address deficiencies in the bikeway network and makes recommendations for new and upgraded bikeway facilities throughout the area for both recreational and commuting users.

The three-fold increase in population projected for the UCSP Subdistricts Area by 2030 would place greater demands on public transit services. A number of new and better regional transit improvements are already planned that will adequately serve the UCSP area. In addition, the UCSP incorporates smart growth strategies to lessen automobile use and increase public transit and other mobility use by providing a mix of compatible land uses, locating highest density near transit stations, utilizing compact building design and creating walkable and bikeable communities. A West Side Shuttle is also proposed to serve both the UCSP and the nearby Bayfront, which would complement existing and planned future transit improvements.

Mitigation Measure: The following mitigation measure is feasible and is required as a condition of approval, and is made binding through these findings.

5.8.5-4 Prior to issuance of an Urban Core Development Permit for subsequent development projects, the traffic assessment prepared to quantify the projects' potential traffic impacts will also identify how alternative modes of transportation will be accommodated. Mitigation may be in the form of:

1) Compliance with the development regulations and design guidelines of the UCSP to accommodate pedestrians, bicyclists and public transit; and
2) Where applicable, construction of improvements within the project boundaries; and/or
3) Early advancement of improvements beyond the project boundaries, subject to a reimbursement agreement.

Significance After Mitigation: Not Significant.

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to below a level of significance.

Facts in Support of Finding: Pursuant to mitigation measure 5.8.5-4, future individual projects within the UCSP will be required to identify how alternative modes of transportation will be affected and accommodated. They will additionally be required to comply with applicable pedestrian, bicycle and public transit regulations and design guidelines of the UCSP as well as to possibly construct or contribute towards the construction of relevant improvements.

Issue (Parking): The proposed UCSP has the potential to significantly increase demand for off-street parking. (FEIR Section 5.8.3.5, pages 5-178-180)

The UCSP allows for an intensification of development in the urban core which will create an increased demand for off-street parking. The Land Use and Development Regulations of the UCSP include parking requirements that specify parking locations and the number of parking spaces per land use. A projected total of 18,560 parking spaces would be required to serve future development of the proposed UCSP at buildout. While the majority of new development will provide on-site parking, there are specific location such as within the Village District and transit focus areas that allow some parking needs to be met off-site and/or through alternative means such as in-lieu fees and shared parking arrangements. In addition, a number of other parking improvement strategies are included in the UCSP including raking buffers, parking districts and parking structures.

Mitigation Measure: The following mitigation measure is feasible and is required as a condition of approval, and is made binding through these findings.

5.8.5-5 Prior to issuance of an Urban Core Development Permit, subsequent development projects shall comply with the parking standards set forth in the UCSP development regulations and design guidelines for the type and intensity of development proposed.

Significance After Mitigation: Not Significant.

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to below a level of significance.

Facts in Support of Finding: Mitigation measure 5.8.5-5 requires subsequent development projects to comply with UCSP parking standards in order to avoid or reduce parking impacts to below significance.

2.7 Noise

The FEIR examined the UCSP's potential impact on Noise in Section 5.9.

Criteria of Significance: The proposed UCSP would result in significant noise impacts if it would:

- Criterion 1: Result in exposure of receivers in the UCSP to exterior noise levels that exceed the levels established by the GPU.
- Criterion 2: Result in interior noise levels that exceed 45 dB Community Noise Equivalency Level (CNEL) due to exterior sources for habitable rooms in residences; or
- Criterion 3: Result in noise levels that violate the City's Noise Ordinance (Chapter 19.68.010 of the Municipal Zoning Code).

Impact (Criterion 1): The UCSP would result in exposure of receivers in the UCSP area to exterior noise that exceeds the levels established by the GPU and the City's noise control ordinance. (FEIR Section 5.9.3.1 – Pages 5-203 - 5-207)

Noise levels could exceed the standard established by the GPU for areas immediately adjacent to circulation element roadways, freeways, and train and trolley lines. Development pursuant to the UCSP would result in exposure of receivers in the UCSP area to exterior noise levels that exceed 65 CNEL in residential areas, if existing or planned exterior use areas are adjacent to those roadways, and are unshielded by buildings or other barriers. This comprises a significant exterior noise impact as evaluated in accordance with Criterion 1. At such time that projects are proposed, specific design review would be needed to assess compliance with the noise limits set by the GPU.

Office and professional areas immediately adjacent to Interstate 5 would be exposed to noise levels in excess of 70 CNEL, or 75 decibels for retail and wholesale commercial areas, restaurants, and movie theaters. Therefore, impacts are significant.
The siting of future parks has the potential to result in significant impacts. While park sites have not been designated, it is possible that parks could be sited next to circulation element roadways which generate noise in excess of 65 [to 70] decibels. This would be a significant impact and would require mitigation.

Mitigation Measure: The following mitigation measure is feasible and is required as a condition of approval and is made binding through these findings.

5.9-1 Prior to the approval of individual development projects, projects within the UCSP area shall demonstrate that required outdoor usable open space areas are adequately shielded from transportation related noise sources so that noise levels fall below the standards set by the General Plan Update or do not cause an increase of greater than 3 dB(A) (A-weighted decibels) on an existing roadway. Noise reduction measures may include building noise-attenuating berms, walls or other attenuation measures. Future development of park facilities shall also, to the extent feasible, incorporate mitigation measures such as siting, berms, walls or other attenuation measures to reduce impacts to acceptable levels of 65-70 CNEL or less. Indication that noise levels fall below this limit shall be made to the satisfaction of the Planning and Building Director, Building Official or Community Development Director.

Because the only mitigation available to reduce exterior noise impacts to parks resulting from roadway traffic is the insertion of a barrier between the source (traffic) and receiver (park), and because parks are intended to remain open (i.e., not surrounded by walls) to the community, exterior noise impacts cannot be fully mitigated. There are no feasible mitigation measures available to mitigate for the potential for parks that are to be sited next to circulation element roadways which generate noise in excess of 65-70 CNEL. Therefore, exterior noise impacts remain significant and unmitigated.

Significance after Mitigation: Significant.

Finding: Pursuant to section 15091(a)(3) of the State CEQA Guidelines, specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR to reduce noise impacts to below a level of significance. While the mitigation measure made binding through this finding is feasible and will be completed, it does not lessen the significant environmental effects of exterior noise on future parks to below significance. Adoption of a Statement of Overriding Considerations will be required should the decision makers choose to approve the proposed project.

Facts in Support of Finding: The siting of future parks has the potential to result in significant exterior noise impacts. While park sites have not been designated, it is possible that parks could be sited next to circulation element roadways which generate noise in excess of 65 [to 70] decibels. Mitigating this impact would require the construction of noise barriers. Required barrier heights may be achieved through the construction of walls, berms, or wall/berm combinations. While noise levels at a park site could be reduced by the construction of such noise barriers, these barriers are considered to be incompatible with park uses. The overriding social consideration of the benefit of exterior park spaces, free of obtrusive barriers, outweighs the noise-attenuating benefit that would arise from the construction of massive noise barriers surrounding outdoor parks.

Impact (Criterion 2): The UCSP would result in interior noise levels that exceed 45 dB CNEL due to exterior sources for habitable rooms in residences. (FEIR Section 5.9.3.2 – Pages 5-207 - 5-208)

As evaluated in accordance with Criterion 2, the adoption of the UCSP would have a significant noise impact prior to mitigation because it would result in interior noise levels that exceed 45 dB CNEL due to exterior sources for habitable rooms in residences along major transportation facilities.

Mitigation Measures: The following mitigation measures are feasible and are required as a condition of approval, and are made binding through these findings.

5.9-2 Prior to the approval of subsequent individual development projects, for any residential use immediately adjacent to a circulation element roadway, trolley or rail line, or Interstate 5, an acoustical analysis shall be completed demonstrating

to the satisfaction of the Planning and Building Director, Community Development Director or Building Official, that interior noise levels due to exterior sources are 45 CNEL or less in any habitable room. For residential projects where interior noise levels due to exterior noise sources exceed 45 CNEL, architectural and structural considerations such as improved window and door acoustical performance, shall be identified.

5.9-3 Prior to the approval of individual development projects, projects where it is necessary for the windows to remain closed to ensure that interior noise levels meet the City's and the Building Code interior standard of 45 CNEL shall demonstrate that the design for these units includes a ventilation or air conditioning system which provides a habitable interior environment with the windows closed.

Significance after Mitigation: Not Significant

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to below a level of significance.

Facts in Support of Finding: To ensure that interior noise levels in habitable rooms do not exceed 45 CNEL, mitigation measures 5.9-2 and 5.9-3 require subsequent individual development projects to conduct acoustical analyses demonstrating compliance with interior noise standards, and the inclusion of appropriate ventilation or air conditioning systems into project design where it is deemed necessary for windows to remain closed.

Impact (Criterion 3): The UCSP could result in noise levels that violate the City's Noise Ordinance. (FEIR Section 5.9.3.3, page 5-208)

Currently, specific uses at specific locations are unknown within the UCSP area. Much of the project area is considered mixed use, and as such, there is the potential that allowable commercial uses will occur in the same building as residential uses. These commercial uses could encompass noise producing activities, such as live music. To the extent that these activities are conducted within the allowable parameters of the municipal code, adverse noise impacts will not occur. Until specific uses are identified, conformance to the City's noise control ordinance code cannot be assured and impacts associated with Criterion 3 may be significant.

Mitigation Measure: The following mitigation measure is feasible and is required as a condition of approval and is made binding through these findings.

5.9-4 Prior to the approval of individual development projects, commercial uses that may involve noise producing activities shall demonstrate compliance with the existing performance standards provided in the City's Noise Ordinance (Chapter 19.68.010 of the Municipal Zoning Code). Prior to project approval, subsequent projects shall also demonstrate compliance with the mixed-use provisions of Chapter VI of the UCSP that include minimization of the effects of any exterior

noise impacts and provision of "internal compatibility between the different uses within the project" (UCSP, VI-44).

Significance after Mitigation: Not Significant

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to below a level of significance.

Facts in Support of Finding: Future commercial development proposals in accordance with the UCSP could include noise producing activities. Mitigation measure 5.9-4 requires that these activities be conducted within the allowable parameters of the Chula Vista Municipal Code and demonstrate compliance with applicable noise performance standards in order to avoid adverse noise impacts.

2.8 Air Quality

The FEIR examined the UCSP's potential impact on Air Quality in Section 5.10.

Criteria of Significance: The proposed UCSP would result in a significant impact to air quality if it would:

- Criterion 1: Conflict with or obstruct implementation of the applicable air quality plan.
- Criterion 2: Violate any air quality standard or contribute substantially to an existing or projected air quality violation.
- Criterion 3: Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative criteria for ozone precursors).
- Criterion 4: Expose sensitive receptors to substantial pollutant concentrations.
- Criterion 5: Create objectionable odors affecting a substantial number of people.

Impact (Criterion 1): The Plan will conflict with the implementation of the applicable air quality plan. (FEIR Section 5.10.3.1, pages 5-220 - 5-222)

The land uses proposed in the UCSP conform to the adopted GPU and are inconsistent with the former General Plan upon which the State Implementation Plan (SIP) and Regional Air Quality Standards (RAQS) were based. By changing land use designations in certain areas, the recently adopted GPU failed to conform to the growth projections used by SANDAG in their generation of the air quality management plan. Thus, adoption of the proposed UCSP would result in significant conflict with an applicable air quality plan as evaluated in conformance with Criterion 1.

Mitigation Measure: The City will cooperate with SANDAG and APCD in developing updated RAQS to insure their conformance with the adopted GPU and mitigation measure 5.10.5-1 is provided as an advisory measure.

5.10.5-1 The City of Chula Vista shall recommend to SANDAG to update the RAQS in the next triennial cycle to incorporate the increased land use densities of the GPU and UCSP.

Significance After Mitigation: Significant.

Finding: Pursuant to section 15091(a)(2) of the State CEQA Guidelines, specific changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes can and should be adopted by such other agency.

Facts in Support of Finding: The only measure that can lessen the significant impact of UCSP inconsistency with the adopted RAQS, is the review and revision of the RAQS based on the recently adopted GPU. Because the updating of the RAQS is the responsibility of SANDAG and the San Diego Air Pollution Control District (APCD), it is outside of the authority of the City and thus no mitigation is available to the City to avoid this impact.

Impact (Criterion 3): The UCSP would result in a significant impact as a result of a cumulatively considerable net increase in criteria pollutants. (FEIR Section 5.10.3.3, pages 5-218-5-221)

As evaluated in accordance with Criterion 3, the UCSP would result in a significant impact as a result of a cumulatively considerable net increase in criteria pollutants. Because the San Diego Air Basin is not in compliance with the 2.5-micron particulate matter (PM2.5) and 10-micron particulate matter (PM10) standards, and because the average daily particulates emission is anticipated to increase with implementation of the UCSP, impacts to criteria pollutants are considered significant, until the region is found to be in compliance with all criteria pollutants.

Cumulative increases in emissions in criteria pollutants for which the San Diego Air Basin (SDAB) is not in attainment, would result from short-term construction of projects in conformance with the UCSP and from long-term emissions generated by both stationary and mobile sources within the UCSP area. Stationary source pollutant emissions would include those generated by the consumption of natural gas and electricity and the burning of wood in residential fireplaces. Vehicle traffic on area roads would generate mobiles source emissions including carbon monoxide, nitrogen oxides, and hydrocarbons.

Mitigation is achievable for fugitive dust from short-term construction activities, but the only measures that would effectively reduce those emissions from long-term daily operations are those that reduce vehicle miles traveled on area roads. The UCSP includes measures aimed at promoting alternative modes of travel including enhanced pedestrian and bicycle activity, use of transit and reducing trip lengths by siting highest density

adjacent to key transit nodes. Mitigation measures 5.10.5-2, 5.10.5-3 and 5.10.5-4 ensure that conformance to these provisions of the UCSP is satisfied prior to issuance of subsequent project development permits.

Mitigation Measures: The following mitigation measures are feasible and are required as a condition of approval, and are made binding through these findings.

5.10.5-2 Prior to issuance of an Urban Core Development Permit or other discretionary permit, all subsequent individual development projects shall demonstrate to the satisfaction of the Community Development Director, conformance with the relevant land use and development regulations (UCSP, Chapter VI) and development design guidelines (UCSP, Chapter VII) of the UCSP which support smart growth principles such as providing a mix of compatible land uses; locating highest density near transit; utilizing compact building design and creating walkable communities; providing a range of infill housing opportunities; and increasing transportation choices.

5.10.5-3 Prior to issuance of an Urban Core Development Permit or other discretionary permit, all subsequent individual development projects shall demonstrate compliance with relevant land use and development regulations contained in the UCSP to minimize air pollutant emissions. These include, but are not limited to: measures aimed at promoting pedestrian activity (Chapter V, pp. V-2- V-5); bicycle activity (Chapter V, pp. V-5 – V-7, V-9 – V-10); public transit facilities (Chapter V, pp. V8 – V-9), including the West Side Shuttle (Chapter V, pp. V-11 – V-12); and reintroduction of the traditional street grid (Chapter V, pp. V-16 – V-19).

5.10.5-4 Prior to issuance of construction permits, including but not limited to, the first Grading Permit, Demolition Permit, and Urban Core Development Permit, the Community Development Director shall verify that the following active dust control practices are to be employed during construction:

1. All unpaved construction areas shall be sprinkled with water or other acceptable San Diego APCD dust control agents during dust-generating activities to reduce dust emissions. Additional watering or acceptable APCD dust control agents shall be applied during dry weather or windy days until dust emissions are not visible.
2. Trucks hauling dirt and debris shall be properly covered to reduce windblown dust and spills.
3. A 20-mile-per-hour speed limit on unpaved surfaces shall be enforced.
4. On dry days, dirt and debris spilled onto paved surfaces shall be swept up immediately to reduce resuspension of particulate matter caused by vehicle movement. Approach routes to construction sites shall be cleaned daily of construction-related dirt in dry weather.
5. On-site stockpiles of excavated material shall be covered or watered.
6. Disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the City and/or APCD to reduce dust generation.
7. To the maximum extent feasible heavy-duty construction equipment with modified combustion/fuel injection systems for emissions control shall be

utilized during grading and construction activities and catalytic reduction for gasoline-powered equipment shall be used.

8. Equip construction equipment with prechamber diesel engines (or equivalent) together with proper maintenance and operation to reduce emissions of nitrogen oxide, to the extent available and feasible.
9. Electrical construction equipment shall be used to the extent feasible.
10. The simultaneous operations of multiple construction equipment units shall be minimized (i.e., phase construction to minimize impacts).

Significance after Mitigation: Significant.

Finding: Pursuant to section 15091(a)(3) of the State CEQA Guidelines, specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR. Adoption of a Statement of Overriding Considerations will be required should the decision makers choose to approve the proposed project.

Facts in Support of Finding: With the application of mitigation measure 5.10.5-4 significant impacts resulting from projected short-term PM10 impacts from construction would be mitigated. Long-term impacts resulting from daily operation would remain significant despite implementation of mitigation measures 5.10.5-2 and 5.10.5-3, until the region is determined to be in compliance with all applicable air quality standards. Until the region is determined to be in compliance with all applicable air quality standards, no other mitigation measures are applicable or feasible, as the UCSP's contribution, regardless of volume, comprises a contribution to an existing regional condition of noncompliance. Thus, operation-related impacts to cumulative air quality would remain significant and unmitigated.

Impact (Criterion 4): The UCSP would expose sensitive receptors to air quality impacts from diesel particulates emanating from Interstate 5 (FEIR Section 5.10.3.4, pages 5-221-5-234)

As evaluated in accordance with Criterion 4, although there is no adopted standard for sensitive receivers adjacent to Interstate 5, it was determined that air quality impacts from diesel particulates emanating from Interstate 5 would be cumulatively significant given current basin-wide noncompliance with particulate standards and projected future levels of diesel particulates emanating from Interstate 5.

Mitigation Measures: Cumulatively significant diesel particulate impacts would be reduced through mitigation measures 5.10.5-2 through 5.10.5-4 but not to below a level of significance.

In addition, special design guidelines are provided in the UCSP Development Design Guidelines (Chapter VII, Section G.5) to be considered by future redevelopment adjacent to I-5, where possible. These site design measures would help to minimize effects and include siting residential uses away from the freeway to the extent possible, tiering

residential structures back from the freeway, and incorporating mechanical and structural measures into the building design. While these measures may serve to reduce the severity of diesel particulate emissions impacts, implementation of diesel vehicles source control measures by State authorities would be required to reduce cumulative impacts to below significance.

Significance after Mitigation: Significant.

Finding: Pursuant to section 15091(a) (2) of the State CEQA Guidelines, any changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes can and should be adopted by such other agency.

Facts in Support of Finding: While mitigation measures 5.10.5-2 through 5.10.5-4 are feasible and will be completed, they do not substantially lessen the severity of diesel particulate emissions impacts as identified in the FEIR. As stated in Mitigation Measure 5.10.5-2 "Prior to issuance of an Urban Core Development Permit or other discretionary permit, all subsequent individual development projects shall demonstrate to the satisfaction of the Community Development Director, conformance with the relevant land use and development regulations (UCSP, Chapter VI) and development design guidelines (UCSP, Chapter VII)." Therefore, site design measures would be considered prior to the approval of future redevelopment adjacent to I-5, where possible, to help minimize effects. A mandatory application of the recommended design measures, such as a 350-500 foot buffer zone, cannot be made at this time without consideration of the implications on future development of the affected sites adjacent to the freeway. The mandatory application of a 350-500 foot setback would unfairly and indiscriminately impact both existing uses and any future redevelopment of individual properties, proposed in a manner consistent with the General Plan, as it would be speculative at this time to determine the specific use (commercial, residential, office) and site design of parcels within the 350-500 foot area. Further, the mandatory application of a setback would not achieve mitigation of the source of the impact. The only measure that can substantially lessen the significant impact of diesel emissions from vehicles on Interstate 5, is the implementation of source (vehicle) controls. Because the regulation and enforcement of vehicle emissions controls is outside the authority of the City, no mitigation is available to the City to effectively avoid this impact. Implementation of diesel vehicles source control measures by State authorities would be required to reduce cumulative diesel particulate emissions impacts to below significance.

2.9 Public Services

The FEIR examined the UCSP's potential impact on Public Services in Section 5.11. Impacts were evaluated for the services of law enforcement, fire protection, schools, libraries, and parks and recreation.

Law Enforcement

Criterion of Significance: Adoption of the UCSP would have a significant impact on police services if it would:

- Criterion 1: Result in the inability of the City to provide an adequate level of law enforcement service in accordance with the adopted standards and thresholds as follows:
  For emergency response, police units must respond to 81 percent of Priority One emergency calls within seven minutes and maintain an average response time of 5.5 minutes or less.
  For Priority Two Urgent calls, the police units must respond to 57 percent of the calls within seven minutes with an average response time to all Priority Two calls within 7.5 minutes or less.

Impact: Future development in accordance with the proposed UCSP could result in a significant impact to law enforcement services. (FEIR Section 5.11.1.3, pages 5-247 - 5-248)

As evaluated in accordance with law enforcement Criterion 1, future development in accordance with the proposed UCSP would result in a significant impact to law enforcement services because of the anticipated increase in calls for service and the additional travel time required to answer these calls. While the police facility at Fourth Avenue and F Street is sufficient to meet the law enforcement needs created by increased demand resulting from development, more police officers will be needed in order to maintain response times. Significant impacts would result if timing of these provisions does not coincide with projected increase in demand for services and populations growth.

Mitigation Measures: The following mitigation measures are feasible and are required as a condition of approval, and are made binding through these findings.

5.11.1-1 Subsequent development projects shall demonstrate that significant impacts to police services resulting from an individual project are addressed prior to approval of an Urban Core Development permit or other discretionary approval. As part of project review, subsequent development projects shall be evaluated for adequate access for police vehicles (pursuant to GPU Policy PFS 6.1) and integration of Crime Prevention Through Environmental Design (CPTED) techniques (pursuant to GPU Policy PFS 6.3).

5.11.1-2 As a condition of project approval, individual developers shall pay the public facilities development impact fees (PFDIF) at the rate in effect at the time building permits are issued.

5.11.1-3 As part of the annual budgeting process, the City shall assess the need for additional police personnel to provide protection services consistent with established City service levels and commensurate with the increase in population.

Significance after Mitigation: Not Significant.

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen

or avoid the significant environmental effect as identified in the FEIR to below a level of significance.

Facts in Support of Finding: Mitigation measures 5.11.1-1, 5.11.1-2 and 5.11.1-3 ensure that timing of additional police personnel and facilities coincide with the increase in demand for services associated with buildout of the UCSP.

Fire Protection

Criterion of Significance: Adoption of the UCSP would have a significant impact on fire protection services if it would:

- Criterion 1: Result in the inability for the City to provide an adequate level fire protection service in accordance with the adopted standards and threshold:
  For calls citywide, fire units must respond within seven minutes for 80 percent of emergency calls.

Impact: Future development in accordance with the proposed UCSP could result in a significant impact to fire protection services. (FEIR Section 5.11.2.3, page 5-251)

The Chula Vista Fire Department does not currently meet the threshold standard for response time for the City, including the UCSP Subdistricts area. Buildout of the UCSP would increase demand for fire protection services. However, as population growth in the service area warrants, additional fire protection personnel and fire protection equipment and facilities would be provided. These provisions would help ensure adequate service within the requirements of the Growth Management Oversight Committee (GMOC) threshold standards. As evaluated in accordance with fire protection Criterion 1, significant impacts would result if timing of these provisions does not coincide with projected increase in demand for services and population growth.

Mitigation Measures: The following mitigation measures are feasible and are required as a condition of approval, and are made binding through these findings.

5.11.2-1 Prior to approval, subsequent individual development projects in the UCSP shall demonstrate provision of adequate access and water pressure for new buildings.

5.11.2-2 As a condition of project approval, individual developers shall pay the public facilities development impact fees at the rate in effect at the time building permits are issued.

5.11.2-3 As part of the annual budgeting process, the City will assess the need for additional fire personnel to provide protection services consistent with established City service levels and commensurate with the increase in population.

Significance after Mitigation: Not Significant.

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen

or avoid the significant environmental effect as identified in the EIR to below a level of significance.

Facts in Support of Finding: Mitigation measures 5.11.2-1, 5.11.2-2 and 5.11.2-3 ensure that timing of additional fire protection and emergency services personnel and facilities coincide with the increase in demand for services associated with buildout of the UCSP.

Schools

Criterion of Significance: Adoption of the UCSP would have a significant impact on schools if it would:

- Criterion 1: Result in the inability of the public school system to provide adequate schools and fail to meet current student/teacher and facilities ratios established in the Chula Vista Elementary School District and Sweetwater Union High School District standards and thresholds.

Impact: Future development in accordance with the proposed UCSP could result in a significant impact on educational facilities. (Section 5.11.3.3, pages 5-254 - 5-255)

As evaluated in accordance with Criterion 1, the land uses proposed for the UCSP would result in a significant impact to schools unless construction of facilities coincide with student generation and associated service demands. The proposed UCSP will result in a three-fold increase in population within the Subdistricts Area at buildout and an associated increase in demand for schools. The estimated number of students to be generated by the proposed UCSP upon buildout was based on current student generation factors of the two relevant school districts. At buildout, the UCSP is expected to generate a net increase of approximately 3,877 students between elementary, middle school, and high school grades. The generation of approximately 2,485 additional elementary students would have a significant impact on existing elementary schools serving the area because they are already at or near capacity. Using every available classroom seat, the new development would require at least 59 additional elementary school classrooms. (Potentially fewer students may result from UCSP buildout or interim conditions due to the nature of the allowable development under the UCSP. New residents of the intensified urban environment of mid- to high-rise mixed uses may likely be single or potentially childless young couples, or empty nesters. Therefore, the identified impacts may be overstated. Monitoring of these trends will be necessary to accurately plan for new student enrollment.)

Provision of school facilities is the responsibility of the school district when additional demand warrants. School services are addressed in the City's Growth Management Thresholds and State Senate Bill 50 (Government Code 65995). Senate Bill 50 prohibits local governments from requiring extra fees or the establishment of a Mello Roos from new development to finance school The legislation provides that statutory fees are the exclusive means of mitigating school impacts and payment of statutory fees constitutes full and complete mitigation (Government Code 65996). Therefore payment of project

development fees in compliance with statutory requirements reduce significant impacts to school districts below a level of significance.

Mitigation Measure: The following mitigation measure is feasible and is required as a condition of approval and is made binding through these findings.

5.11.3-1 Prior to approval, subsequent development projects in the UCSP shall demonstrate that significant impacts to public educational services resulting from the individual project have been addressed. As a condition of project approval, individual developers shall pay the statutory school impact fees at the rate in effect at the time building permits are issued.

Significance after Mitigation: Not Significant.

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to below a level of significance.

Facts in Support of Finding: While provision of school facilities is the responsibility of the school district, mitigation measure 5.11.3-1 ensures that subsequent individual projects' effects on public educational services are addressed prior to project approval, thereby avoiding or substantially lessening potential impacts to area schools.

Libraries

Criterion of Significance: Adoption of the UCSP would have a significant impact on library services if it would:

- Criterion 1: Result in the inability of the City to provide an adequate level of library services and facilities in accordance with adopted City standards and thresholds as follows:
  500 square feet of library facilities per 1,000 population for new development.
  3.0 books per person for new development.

Impact: Implementation of the UCSP could result in significant impacts to library services in the UCSP Subdistricts Area and citywide. (Section 5.11.4.3, pages 5-256 - 5-257)

As evaluated in accordance with library services Criterion 1, buildout of the UCSP may require additional library space in order to meet and maintain the City Criterion of 500 square feet per 1,000 population and 3 books per person for new development. Based on the expected net increase in population of 18,318 with buildout of the UCSP, increased demand on existing library services would amount to approximately 9,159 square feet of library facilities and 54,954 books. Existing library service conditions in the City are inadequate and not in compliance with City standards. Additional library capacity is planned by 2007, however, with the construction of the 30,000 square foot Rancho Del

Rey Library. In the absence of this or other new library construction, any additional demand on library services would comprise a significant impact.

Mitigation Measure: The following mitigation measure is feasible and is required as a condition of approval and is made binding through these findings.

5.11.4-1 Prior to approval, subsequent individual development projects in the UCSP shall demonstrate that significant impacts to the provision of library services resulting from individual projects have been addressed. As a condition of project approval, individual developers shall pay the public facilities development impact fees at the rate in effect at the time building permits are issued.

Significance after Mitigation: Not Significant.

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to below a level of significance.

Facts in Support of Finding: Potentially significant library impacts would be avoided or reduced to below significance through mitigation measure 5.11.4-1 which requires subsequent individual development projects in the UCSP to demonstrate that significant library impacts have been addressed prior to project approval.

Parks and Recreation

Criterion of Significance: Adoption of the UCSP would have a significant impact on parks and recreation if it would:

- Criterion 1: Result in the inability of the City to provide an adequate level of park and recreation service and facilities in accordance with the adopted standard of three acres per 1,000 people; or as modified by the Growth Management Ordinance.

Impact: Future development in accordance with the proposed UCSP could result in a significant impact on park facilities. (FEIR Section 5.11.5.3, pages 5-260 - 5-261)

Implementation of the proposed UCSP would generate increased demand for parks and recreation facilities. As evaluated in accordance with parks and recreation Criterion 1, a significant impact could occur if dedication of parkland and construction of new facilities does not coincide with project implementation and project population growth.

Mitigation Measure: The following mitigation measure is feasible and is required as a condition of approval and is made binding through these findings.

5.11.5-1 Prior to approval of an Urban Core Development Permit, each subsequent project shall establish to the satisfaction of the Community Development Director that the project meets the City's parkland dedication requirement. As a condition of project approval, individual developers shall provide required

parkland and facilities on-site, if possible and consistent with potential site locations identified in the UCSP and Parks Master Plan; or pay the applicable parkland acquisition and parkland development fee and recreation facility development impact fees at the rates in effect at the time building permits are issued.

Significance after Mitigation: Not Significant.

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to below a level of significance.

Facts in Support of Finding: The Chula Vista Municipal Code, Section 17.10 (the Park Development Ordinance – PDO) applies a standard of 3 acres of parkland for every 1,000 people to all new development. Full buildout of the UCSP would be required to provide up to approximately 55 acres of new parkland. This additional parkland would be required incrementally and commensurate with new development as required in mitigation measure 5.11.5-1.

2.10 Public Utilities

The FEIR examined the UCSP's potential impact on Public Utilities in Section 5.12. The four public utilities evaluated in the FEIR include the provision of water, wastewater, solid waste, and energy. The FEIR determined that the proposed UCSP would not have significant impacts to the utilities of water or solid waste. However, impacts to wastewater and energy were identified, as explained below.

Wastewater

Criterion of Significance: Impacts to wastewater services would be significant if the proposed UCSP would:

- Criterion 1: Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate planned capacity to serve projected demand in addition to the provider's existing commitments.

Impact: The UCSP will place a significant demand on wastewater treatment services. (FEIR Section 5.12.2.3, pages 5-277 - 278)

As evaluated in accordance with wastewater Criterion 1, impacts to the provision of sewer service resulting from implementation of the proposed UCSP are considered significant. Chula Vista owns capacity in the Metro system, which provides conveyance of City wastewater flows. Increasing population will place additional demand on sewer services. While it is the intent of the City to ensure that services are provided concurrent with need, the provision of sewer services is not solely within its authority. Although the

City is in the process of acquiring additional capacity from Metro, that acquisition has not yet been finalized. Based on GPU buildout projections, the City will be generating approximately 26.2 million gallons per day (mgd) of wastewater citywide by 2030 and would need to acquire additional 6.4 mgd of capacity rights by the year 2030 in order to meet citywide projected demand. Of this total, 1.57 mgd are projected to be generated in western Chula Vista, including a projected generation of 0.88 mgd for the UCSP Subdistricts Area. Therefore, impacts to the provision of sewer service are considered significant.

Mitigation Measure: The following mitigation measure is feasible and is required as a condition of approval and is made binding through these findings.

5.12.2-1 Prior to the approval of subsequent individual development projects, project plans shall demonstrate that there is sufficient wastewater capacity available to serve the proposed project. Conditions of approval may require sewer capacity fees to be contributed to mitigate project-related impacts.

Significance after Mitigation: Not Significant.

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to below a level of significance.

Facts in Support of Finding: To avoid significant impacts to the provision of sewer service, mitigation measure 5.12.2-1 requires that all subsequent individual development projects demonstrate that sufficient wastewater capacity is available to serve the project prior to project approval.

Energy

Criterion of Significance: Impacts to energy would be significant if the proposed project would:

- Criterion1: Result in the available supply of energy to fall below a level considered sufficient to meet the City's needs or cause a need for new and expanded facilities.

Impact: The UCSP has the potential to result in significant impacts to energy supply as a result of anticipated growth. (FEIR Section 5.12.4.3, pages 5-282 - 5-284)

As evaluated in accordance with energy Criterion 1, project impacts to energy are considered significant because there is no long-term assurance that energy supplies will be available at buildout of the UCSP.

Mitigation Measure: The following mitigation measure is feasible and is required as a condition of approval and is made binding through these findings.

5.12.4-1 The City shall continue to implement the Energy Strategy Action Plan that addresses demand side management, energy efficient and renewable energy

outreach programs for businesses and residents, energy acquisition, power generation, and distributed energy resources and legislative actions, and continue to implement the CO_2 Reduction Plan to lessen the impacts on energy.

Significance after Mitigation: Significant.

Finding: Pursuant to section 15091(a)(3) of the State CEQA Guidelines, specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR. While mitigation measure 5.12.4-1 is feasible and will be implemented, it does not substantially lessen the significant environmental effect as identified in the FEIR. Adoption of a Statement of Overriding Consideration will be required should the decision makers choose to approve the proposed project.

Facts in Support of Finding: Because there is no assurance that energy resources will be available to adequately serve the proposed UCSP, energy impacts remain significant and unmitigated. Avoidance of energy impacts cannot be assured regardless of land use designation or population size. Although subsequent individual projects would be subject to the City's continuing Energy Strategy Action Plan and CO2 (Carbon Dioxide) Reduction Plan, and SANDAG's San Diego Regional Energy Plan and Transit First Plan as stated in mitigation measure 5.12.4-1, implementation of the proposed land uses identified in the UCSP has the potential to result in significant impacts to nonrenewable and slowly renewable energy resources as a result of anticipated growth. The environmental sustainability measures of the UCSP (Chapter VI, G.) may serve to further reduce energy consumption associated with implementation of the UCSP, thereby reducing energy demand and energy impacts; but not to below a level of significance.

2.11 Hazards/Risk of Upset

The FEIR examined the UCSP's potential impact on Hazards/Risk of Upset in Section 5.13.

Criteria of Significance: The proposed UCSP would result in a significant hazards/risk of upset impact if it would:

- Criterion 1: Create a significant hazard to the public or the environment through the routine transport, use, disposal, or accidental release of hazardous materials;
- Criterion 2: Place potential emitters of hazardous or acutely hazardous materials or substances in close proximity to sensitive receivers or be located in close proximity to a site which is included on a list of hazardous materials site pursuant to Government Code Section 65962.5;
- Criterion 3: Impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Impact (Criterion 1): Hazardous materials which occur within the UCSP area could pose significant public health and safety risks during construction or long-term use of proposed development. (FEIR Section 5.13.3.1, pages 5-303 – 5-307)

Hazardous materials occur within the UCSP area and pose significant public health and safety risks during construction or long-term occupation of proposed development as evaluated in accordance with Criterion 1. Exposure to hazardous materials that exceed state and/or federal standards can occur through contact with contaminated soil or groundwater, through ingestion, skin contact or the inhalation of vapors or dust.

An approximate total of 103 sites of potential hazardous concern have been identified from various federal, state and local databases as occurring within the Subdistricts Area. In addition, due to the presence of numerous pre-1960s structures in the area, there is a potential that during construction or demolition, workers may come into contact with hazardous building materials (asbestos and lead).

Future development consistent with the proposed UCSP would result in significant impacts if such development allows greater contact between humans and hazards.

Mitigation Measures: The following mitigation measures are feasible and are required as a condition of approval, and are made binding through these findings.

5.13-1 Prior to approval of subsequent individual development projects, any project plans that propose land uses which use, transport, store, and dispose of hazardous materials shall be conducted in compliance with the relevant regulations of federal, state, and local agencies, including the EPA, California Department of Heath Services (DHS), and California Department of Transportation.

5.13-2 A risk assessment shall be performed at all sites within the study area where contamination has been identified or is discovered during future construction activities, and at which soil is to be disturbed, to address risks posed by any residual contamination, and to establish appropriate mitigation measures (e.g., natural attenuation, active remediation, engineering controls) that would be protective of human health and the environment. All assessment and remediation activities shall be conducted in accordance with a Work Plan that is approved by the regulatory agency having oversight of the activities.

Significance after Mitigation: Not Significant.

Finding: Pursuant to section 15091(a)(1) of the State CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to below a level of significance.

Facts in Support of Finding: Mitigation measures 5.13.1 and 5.13-2 ensure that future development consistent with the proposed UCSP would not result in significant adverse contact between humans and hazards.

3.0 Findings on Significant Cumulative Impacts

Cumulative impacts are those which "are considered when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects" (Pub. Resources Code section 21082.2, subd. (b)). The analysis in the EIR for the UCSP relies on regional planning documents, in accordance with Section 15130(b)(1)(B), to serve as a basis for the majority of analysis of the cumulative effects of the proposed General Plan Update. The cumulative impacts assessment in this section primarily relies on the cumulative impact determinations in the Chula Vista GPU EIR. Other regional plans used to assess cumulative impacts in this section include: the Chula Vista General Plan; the SANDAG Regional Comprehensive Plan (RCP); the Chula Vista MSCP; the Water Quality Control Plan for the San Diego Basin; the San Diego APCD RAQS; and the Regional Water Facilities Master Plan. These plans are discussed in the Environmental Impact Analysis, Section 5.0, of this EIR, and are incorporated by reference in the cumulative analysis below. These documents are on file at the City of Chula Vista and are available for review at the Chula Vista Planning Department at 276 Fourth Avenue and the Chula Vista Civic Center Library at 365 F Street in the City of Chula Vista.

In formulating mitigation measures for the project, regional issues and cumulative impacts have been taken into consideration. Many of the mitigation measures adopted for the cumulative impacts are similar to the project level mitigation measures. This reflects the inability of the lead agency to impose mitigation measures on surrounding jurisdictions (i.e., City of San Diego, City of National City, Caltrans, and Mexico) and the contribution of these jurisdictions to cumulative impacts.

Cumulative Impacts are discussed in Chapter 6.0 of the Final EIR. The UCSP will result in the following irreversible cumulative environmental changes.

3.1 Cultural Resources

Cumulative impacts to cultural resources are discussed in Section 6.3 of the FEIR.

Impact: Loss of cultural resources in the Urban Core Specific Plan area would represent a cumulative impact.

The continued pressure to develop or redevelop areas would result in incremental impacts to the historic record in the San Diego region. The RCP concluded that the loss of historic or prehistoric resources from the past, present, and probable future projects in the Southern California/Northern Baja areas would contribute to cumulatively significant impacts to cultural resources. Implementation of the proposed UCSP, in conjunction with other future projects, will result in a significant cumulative impact to cultural resources.

Mitigation Measures: Mitigation Measure 5.3.5-1 through 5.3.5-5 described above would be required.

Significance After Mitigation: Significant

Finding: Pursuant to section 15091 (a)(3) of the State CEQA Guidelines, specific economic, social, or other considerations make infeasible mitigation measures or project alternatives to reduce cumulative cultural resources impacts to a level below significance. While the mitigation measures to reduce direct cultural resources impacts are feasible and will be completed, they do not substantially lessen the significant cumulative environmental effect as identified in the FEIR. Adoption of a Statement of Overriding Consideration will be required should the decision makers choose to approve the proposed project.

Facts in Support of Finding: Cumulative impacts to cultural resources remain significant despite project-specific mitigation measures 5.3.5-1 through 5.3.5-5. Regardless of the efforts to avoid impacts to cultural resources, the more that land within the country that is converted to developed uses the greater the potential for impacts to cultural resources. While any individual project may avoid or mitigate the direct loss of a specific resource, the effect is considerable when considered cumulatively.

3.2 Traffic, Circulation, and Access

Cumulative impacts to traffic circulation and access are discussed in Section 6.6 of the FEIR.

Impact: Cumulative impacts to roadway segments would occur with the adoption of the Urban Core Specific Plan.

The long-term traffic analysis conducted for the proposed UCSP employed the regional traffic database and modeling used by SANDAG and assumed 2030 buildout conditions under the GPU. As such, it included the projected growth for the region, including both growth in regional trips and anticipated expansion of the circulation system. Traffic effects identified in Chapter 5.8 of the FEIR are significant. Nineteen intersections and three roadway segments within the UCSP area would operate at unacceptable levels of service. The traffic analyses included mitigation measures to reduce significant cumulative traffic impacts. However, not all impacts would be mitigated to below a level of significance. Therefore, significant and unmitigated cumulative traffic impacts are noted for the street network.

Mitigation Measures: Mitigation Measures 5.8.5-1 through 5.8.5-3 and 5.8-6 described above would be required.

Significance After Mitigation: Significant

Finding: Pursuant to section 15091(a)(3) of the State CEQA Guidelines, specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR. While the mitigation measures to reduce

direct traffic impacts are feasible and will be completed, they do not substantially lessen the significant cumulative environmental effect as identified in the FEIR. Adoption of a Statement of Overriding Consideration will be required should the decision makers choose to approve the proposed project.

Facts in Support of Finding: The mitigation measures presented above would reduce some of the incremental cumulative impacts associated with the proposed UCSP; however, these measures would not reduce the cumulative traffic impacts to below a level of significance.

The Automobile Priority Alternative increases the roadway capacity for the impacted intersections and roadway segment to acceptable LOS. As such, it would lessen cumulative traffic impacts to below a level of significance. As discussed in Section 4.3 of these Findings, however, this alternative is infeasible. Pursuant to section 15091(a) (3) of the State CEQA Guidelines, specific economic, social, or other considerations make infeasible the Automobile Priority Alternative identified in the EIR. The alternative is not considered environmentally preferable to the proposed Plan, nor would accomplish some of the Plan's goals and objectives. The overriding social goals and objectives that the Automobile Priority Alternative would not meet are detailed in Section 4.3 and 6.0 of these findings.

3.3 Air Quality

Cumulative impacts to air quality are discussed in Section 6.7 of the FEIR.

Impact: Implementation of the Urban Core Specific Plan would contribute to a significant cumulative impact on regional air quality.

The San Diego Air Basin is in non-attainment for federal and state ozone standards, federal and state $PM_{2.5}$ standards, and state PM_{10} standards. Because the air basin is in non-attainment for ozone, $PM_{2.5}$, and PM_{10}, the allowable increase in residential units and the activities associated with population growth, even as mitigated by the City in its CO_2 Reduction Plan and Growth Management Program and by the Interstate 5 site design recommendations in the UCSP, represents a cumulatively considerable and significant air quality impact.

Mitigation Measures: Mitigation Measures 5.10.5-1 through 5.10.5-4 described above would be required.

Significance After Mitigation: Significant

Finding: Pursuant to section 15091(a)(3) of the State CEQA Guidelines, specific economic, social, or other considerations make infeasible mitigation measures or project alternatives to reduce cumulative net increases to regional criteria air pollutants to below significance. While mitigation measures 5.10.5-2 through 5.10.5-4 to reduce the UCSP's emissions and severity of impact are feasible and will be completed, they would not

reduce the significant cumulative environmental effect as identified in the FEIR to below significant. Adoption of a Statement of Overriding Consideration will be required should the decision makers choose to approve the proposed project.

Facts in Support of Finding: Cumulative air quality impacts would remain significant despite implementation of mitigation measures 5.10.5-2 and 5.10.5-3, until the region is determined to be in compliance with all applicable air quality standards. Until the region is determined to be in compliance with all applicable air quality standards, no other mitigation measures are applicable or feasible, as the UCSP's contribution, regardless of volume, comprises a contribution to an existing regional condition of noncompliance.

3.4 Energy

Cumulative impacts to energy are discussed in Section 6.9.4 of the EIR.

Impact: Implementation of the proposed UCSP has the potential to result in cumulative impacts to energy resources.

Buildout of the UCSP would directly increase the demand for both electricity and natural gas, and would contribute to significant cumulative demands on energy. Impacts to energy are considered significant because there is no long-term assurance that energy supplies will be available at buildout of the UCSP. Avoidance of energy impacts thus cannot be assured regardless of land use designation or population size.

Mitigation Measure: Mitigation Measure 5.12.4-1 described above would be required.

Significance After Mitigation: Significant

Finding: Pursuant to section 15091(a)(3) of the State CEQA Guidelines, specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR. While mitigation measure 5.12.4-1 is feasible and will be completed, it does not reduce the significant environmental effect as identified in the FEIR to below a level of significance. Adoption of a Statement of Overriding Consideration will be required should the decision makers choose to approve the proposed project.

Facts in Support of Finding: The UCSP has the potential to add incrementally to the demand for energy supplies which cannot be assured in the future, thus representing an unavoidable significant cumulative impact. The energy mitigation measures identified in Section 2.10 of this document would reduce significant energy impacts, but not to below a level of significance. Because future energy supplies cannot be assured, cumulative energy impacts would remain significant and unmitigated.

4.0 Findings on Feasibility of Project Alternatives Considered in the Final EIR

Because the project will cause some unavoidable significant environmental effects, as outlined above, the City must consider the feasibility of any environmentally superior alternative to the project, as finally approved. The City must evaluate whether one or more of these alternatives could avoid or substantially lessen the unavoidable significant environmental effects. Where, as in this project, significant environmental effects remain even after application of all feasible mitigation measures identified in the FEIR, the decision makers must evaluate the project alternatives identified in the FEIR. Under these circumstances, CEQA requires findings on the feasibility of project alternatives.

In general, in preparing and adopting findings, a lead agency need not necessarily address feasibility when contemplating the approval of a project with significant impacts. Where the significant impacts can be mitigated to an acceptable (insignificant) level solely by the adoption of mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of environmentally superior alternatives, even if their impacts would be less severe than those of the project as mitigated. *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376 [253 Cal.Rptr. 426]; *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515 [147 Cal.Rptr. 842]; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692 [270 Cal.Rptr. 650]. Accordingly, for this project, in adopting the findings concerning project alternatives, the City Council considers only those environmental impacts that, for the finally approved project, are significant and cannot be avoided or substantially lessened through mitigation.

If project alternatives are infeasible, the decision makers must adopt a Statement of Overriding Considerations with regard to the project. If there is a feasible alternative to the project, the decision makers must decide whether it is environmentally superior to the project. Proposed project alternatives considered must be ones that "could feasibly attain the basic objectives of the project." However, the CEQA Guidelines also require an EIR to examine alternatives "capable of eliminating" environmental effects even if these alternatives "would impede to some degree the attainment of the project objectives" (CEQA Guidelines, section 15126).

The City has properly considered and reasonably rejected a reasonable range of project alternatives as "infeasible" pursuant to CEQA. CEQA provides the following definition of the term "feasible" as it applies to the findings requirement: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." [Pub. Resources Code section 21061.1] The CEQA Guidelines provide a broader definition of "feasibility" that also encompasses "legal" factors. CEQA Guidelines section 15364 states, "The lack of legal powers of an agency to use in imposing an alternative or mitigation measure may be as great a limitation as any economic, environmental, social, or technological factor." (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565 [276 Cal.Rptr. 410].)

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Accordingly, "feasibility" is a term of art under CEQA and thus may not be afforded a different meaning as it may be provided by Webster's dictionary or any other sources. Moreover, Public Resources Code section 21081 governs the "findings" requirement under CEQA with regard to the feasibility of alternatives. Specifically, no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless the public agency makes one or more of the following findings:

(1) "[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." [CEQA Guidelines section 15091, subd. (a)(1)]

(2) "such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. [CEQA Guidelines section 15091, subd. (a)(2)]

(3) "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." [CEQA Guidelines section 15091, subd. (a)(3)]

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 [183 Cal.Rptr. 898]) "'[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (Ibid.; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 [29 Cal.Rptr.2d 182])

These findings contrast and compare the alternatives where appropriate in order to demonstrate that the selection of the finally approved project, while still resulting in significant environmental impacts, has substantial environmental, planning, fiscal, and other benefits. In rejecting certain alternatives, the decisionmakers have examined the finally approved project objectives and weighed the ability of the various alternatives to meet the objectives. The decisionmakers believe that the project best meets the finally approved project objectives with the least environmental impact.

The detailed discussions in Sections 2.0 and 3.0 demonstrate that all but five significant environmental effects of the project have been either substantially lessened or avoided through the imposition of existing policies or regulations or by the adoption of additional, formal mitigation measures recommended in the FEIR. The remaining unmitigated impacts include the following:

- Cultural resources
- Traffic

- Noise
- Air quality
- Energy

Thus, the City can fully satisfy its CEQA obligations by determining whether any alternatives identified in the FEIR are both feasible and environmentally superior with respect to the impacts listed above. (*Laurel Hills, supra,* 83 Cal.App.3d at 519-527; [147 Cal.Rptr. 842]; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731 [270 Cal.Rptr. 650]; and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 400-403 [253 Cal.Rptr. 426].) As the succeeding discussion will show, no identified alternative qualifies as both feasible and environmentally superior with respect to unmitigated impacts.

To fully account for these unavoidable significant effects, and the extent to which particular alternatives might or might not be environmentally superior with respect to them, these findings will not focus solely on the impacts listed above, but may also address the environmental merits of the alternatives with respect to all broad categories of impacts—even though such a far-ranging discussion is not required by CEQA. The findings will also assess whether each alternative is feasible in light of the City's objectives for the Urban Core Specific Plan.

The City's review of project alternatives is guided primarily by the need to reduce potential impacts associated with the UCSP, while still achieving the basic objectives of the project. The City's primary objectives are included in Section III above. The City evaluated three alternatives to the proposed project, the No Project Alternative, the Reduced Project Alternative, and the Automobile Priority Alternative. Each of these alternatives is discussed below.

4.1 No Project Alternative

Section 15126, subdivision (d)(4), of the CEQA Guidelines requires the evaluation of the "No Project" Alternative. Such an alternative "shall discuss the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services."

The No Project alternative would continue to implement the current adopted Municipal Code Zoning in the Subdistricts Area of the UCSP. Under the No Project Alternative, it is estimated that approximately 1,000 additional residential units could be built in the 690-acre Subdistricts Area. This number was estimated from the GPU FEIR No Project alternative (page 617) which identified capacity for approximately 1,429 additional residential units allowed under the "former" 1989 General Plan and implementing zoning when compared to the existing condition. This remaining residential capacity of 1,429 related to the Urban Core Subarea of the Northwest Planning Area of the GPU. The extent of the UCSP Subdistrict Area is approximately 67 percent of the larger Urban Core

Subarea described in the GPU FEIR as 1,031 acres. In addition, the No Project Alternative is anticipated to allow additional commercial and office growth compared to the existing condition, considering the underutilized extent of many of the commercially zoned properties throughout the UCSP Subdistricts Area.

Impacts:
The current zoning conforms to the former General Plan, rather than the currently adopted General Plan Update (GPU). California law requires zoning ordinances to be consistent with the adopted GPU. Therefore, the No Project Alternative would result in the zoning for the Subdistricts Area of the UCSP being inconsistent with the GPU. Impacts to land use resulting from implementation of the No Project Alternative would thus be greater than those identified for the proposed UCSP because of inconsistency of existing Municipal Code Zoning with the adopted GPU.

Proportional to the decrease in allowable population and building intensity, the No Project Alternative would reduce impacts to landform alteration/aesthetics, hydrology and water quality, traffic circulation and access, air quality, noise, and public services and utilities compared to the proposed UCSP. Impacts associated with cultural resources, geology and soils, paleontological resources, and hazards/risk of upset would be roughly equivalent to those identified for the proposed UCSP given that the footprint of the impact area is roughly the same for both scenarios. The basis for concluding no significant population and housing impacts for the No Project Alternative would be the same as that for the proposed UCSP. In both scenarios, displacement of people and housing which might occur during new development and redevelopment would not necessitate the construction of replacement housing elsewhere. Because the No Project Alternative still entails growth within the City, cumulatively significant impacts to cultural resources, air quality and energy, although reduced, would remain significant and unavoidable. And while direct significant unavoidable impacts to air quality and energy may be lessened in the No Project Alternative compared to the proposed UCSP, these environmental effects would remain significant and unmitigable given existing noncompliance and resource limits.

Findings:
Although the No Project Alternative is considered environmentally preferable to the proposed project given the reduction in impacts to aesthetics, water quality, traffic, noise, air quality, public services, and public utilities, it would not accomplish any of the primary objectives of the proposed project and it would be inconsistent with the adopted General Plan Update. The No Project Alternative would not meet the following objectives:

- *Create the tools necessary to implement the General Plan Update's vision for the urban core through preparation of a comprehensive set of new zoning classifications and updated development regulations and standards for mixed-use developments.*

  The No Project Alternative comprises zoning which implements the former, outdated, General Plan and not the adopted General Plan Update. In order to accomplish the

GPU vision for the urban core, new mixed-use zoning classifications and land use development regulations are needed. Current zoning classifications and development regulations prohibit mixed use and are thus in conflict with the adopted General Plan Update and California law which requires zoning ordinances to be consistent with the relevant adopted general plan.

- *Develop updated design guidelines unique to the individual districts in the urban core that implement the urban form and create the active urban environment envisioned by the General Plan Update.*

  Updated design guidelines for implementing the GPU vision for the urban core are not provided in the No Project Alternative. In the absence of the proposed project, development design for the urban core is guided by the outdated former general plan and/or, for the portion of the project area overlain by a redevelopment plan, the existing Town Centre I Design Manual and guidelines in the Merged Plan Summary. In either case, guidelines are not provided that implement the urban form envisioned in the GPU for the urban core or create a vibrant, distinct, pedestrian-friendly urban environment, a key objective of the GPU and UCSP.

- *Establish a Plan implementation program for the provision of community benefits such as public infrastructure, mobility improvements, and urban amenities that enhance the quality of life for the community.*

  The No Project Alternative represents less mixed use than the proposed UCSP. As such, it fails to provide the necessary mix of land uses sufficient to support exemplary community services, facilities, and amenities. The proposed UCSP represents a substantial increase in commercial square footage and multi-family residential units over the No Project Alternative. Therefore, the No Project Alternative provides less of an opportunity for the expansion of the local economy and makes it more difficult to sustain a strong economic base. Furthermore, a Reduction in density, as allowed under the No Project Alternative, would provide insufficient density in the urban core to support transit facilities and to promote pedestrian-oriented land use design.

- *Facilitate revitalization of the downtown and surrounding commercial and residential areas by increasing certainty and predictability for all stakeholders that assures quality outcomes and streamline the development entitlement process.*

  The No Project Alternative would retain the existing land use zoning classifications in the urban core. This results in land use regulations that support substantially fewer residential units and commercial square footage in the urban core relative to the proposed Plan thereby making it less likely that redevelopment and revitalization would occur.

For these reasons, the City Council concludes that the No Project Alternative is not feasible. (*See City of Del Mar, supra,* 133 Cal.App.3d at 417; *Sequoyah Hills, supra,* 23

Cal.App.4th at 715.) For additional discussion regarding the No Project Alternative, see Chapter 10.1 of the FEIR.

4.2 Reduced Project Alternative

The Reduced Project Alternative represents less residential development than the proposed project in areas currently restricted to retail use along the downtown segments of Third Avenue, along E Street in the vicinity of Third and Fourth Avenues, and decreased residential and transit-oriented uses in the vicinity of major transit corridors, over the proposed UCSP.

The Reduced Project Alternative comprises a 25 percent reduction in the projected buildout of the proposed UCSP through 2030. This alternative does not change the proposed land uses, nor affect land use density. Under this alternative, a total of 9,025 residential units could be built in the UCSP Subdistricts Area rather than the 10,800 projected under the GPU and implemented by the proposed UCSP. This would result in a net increase of 5,325 residential units within the UCSP Subdistricts Area, compared to the net increase of 7,100 allowed in the proposed UCSP. Table 10-2 provides a comparison of projected buildout under the Reduced Project Alternative and the proposed UCSP.

The purpose of this alternative is to reduce the impacts that would result from the adoption of the proposed plan as they relate to intensity of use.

Impacts:
Proportional to the decrease in intensity proposed under the Reduced Project Alternative, impacts would be reduced to landform alteration/aesthetics, traffic circulation and access, noise, air quality, public services, and public utilities. Significant impacts associated with cultural resources, geology and soils, paleontological resources, and hazards/risk of upset would be equivalent to those identified for the proposed UCSP given that the footprint of the impact area is roughly the same in both scenarios. Significant water quality impacts would also be roughly equivalent, given the approximate sameness in impermeable surface area. As with the proposed UCSP, the Reduced Project Alternative would not result in significant land use or population and housing impacts. In both scenarios, new zoning would conform to the adopted General Plan and displacement of people and housing which might occur during new development and redevelopment would not necessitate the construction of replacement housing elsewhere. While significant direct impacts to cultural resources, traffic, air quality, noise and energy may be lessened in the Reduced Project Alternative, environmental effects would remain significant and unmitigable for cultural resources, air quality and energy given existing noncompliance and resource limits. Because the Reduced Project Alternative accommodates growth within the City, cumulatively significant impacts to cultural resources, air quality and energy, although reduced, would also remain significant and unavoidable.

Findings:

This alternative would specifically reduce impacts to landform alteration/aesthetics, traffic, air quality, noise, and public utilities and services. Although the Reduced Project Alternative is considered environmentally superior to the proposed project, it would fail to meet the most critical Project Objectives related to smart growth principles such as infill development and reduction of urban sprawl as described below. The City rejects the Alternative because it does not meet most of the basic Project Objectives as effectively as the Project.

- *Create the tools necessary to implement the General Plan Update's vision for the urban core through preparation of a comprehensive set of new zoning classifications and updated development regulations and standards for mixed-use developments.*

  In order to accomplish the GPU vision for the urban core, new mixed-use zoning and higher density residential classifications and land use development regulations as outlined in the GPU are provided for in the UCSP. While the Reduced Project Alternative would retain similar land use classifications, it would not provide for buildout as envisioned by the adopted General Plan Update. The Reduced Project Alternative would be unlikely to achieve some of the most critical objectives of the entire Project. Specifically, this alternative would make it more difficult to achieve the infill/smart growth objectives of the Project. The lowering of allowable intensities could slacken development interest in the community becauseallowing for higher-density development is a key factor associated with successfully achieving infill development. If allowable development capacity is reduced to a point where it is comparable with levels allowable in the suburban areas, development is more likely to occur there since it is generally more expensive and difficult to build in an urbanized area. As such, the alternative would likely lead to greater urban sprawl in the eastern portions of the City. The Reduced Project Alternative would also be in conflict with the California State Planning and Zoning Law that requires zoning ordinances to be consistent with the relevant adopted general plan.

- *Establish a Plan implementation program for the provision of community benefits such as public infrastructure, mobility improvements, and urban amenities that enhance the quality of life for the community.*

  Recognizing that revenue is proportional to intensity of use, reduced intensity, as represented by the Reduced Project Alternative would result in reduced revenues and make it more difficult for the City to sustain services, facilities and amenities. While this alternative permits mixed uses, doing so in a lesser intensity than that envisioned in the proposed Plan may limit the ability of the City to support the transit and pedestrian improvements envisioned in the GPU and proposed UCSP because of reduced population and building intensity. Higher population and building intensity help promote pedestrian, bicycle, and transit-oriented development. By limiting commercial and residential opportunities and reducing critical mass relative to the proposed Plan, the Reduced Project Alternative provides diminished opportunity and incentive for revitalization that in turn helps facilitate the provision of needed public improvements and amenities in an area determined to be blighted.

For these reasons, the City Council concludes that development consistent with the Reduced Project Alternative is not feasible. (*See City of Del Mar, supra,* 133 Cal.App.3d at 417; *Sequoyah Hills, supra,* 23 Cal.App.4th at 715.) For additional discussion of the Reduced Project Alternative, see Section 10.2 of the FEIR.

4.3 Automobile Priority Alternative

The Automobile Priority Alternative involves the design and designation of area roadways such that the adverse traffic effects identified for the proposed UCSP would be lessened and traffic flow would take priority over pedestrian oriented design. Under this alternative, land use densities and intensities would be the same as with the proposed UCSP, but certain pedestrian-oriented streetscape design features would be eliminated in order to maximize traffic flow. The only impacts that would change in this alternative would be related to traffic flow. The purpose of this alternative is to reduce impacts associated with automobile traffic, circulation and access to a level below significant.

The proposed UCSP identifies roadway improvements that would result in UCSP intersections and street segments operating at LOS D or better. As indicated in the traffic analysis conducted for the UCSP, even with the suggested improvements, the roadway segment of Third Avenue between E and G Streets and three intersections would operate at LOS E. These intersections include:

- Broadway/H Street
- Hilltop Drive/H Street
- Third Avenue/J Street

Additional traffic improvements to mitigate decline in the LOS for these intersections and street segment was not included in the proposed UCSP because of conflicts with plan objectives and right-of-way constraints. Guiding principles of the UCSP are based on smart growth strategies, SANDAG's Regional Transportation Plan (or MOBILITY 2030), and SANDAG's Congestion Management Program, which advise new development to maximize density, reduce automobile congestion by increasing pedestrian, cycling, and public transit activity, and allow residents to enjoy short walking distances to and from employment, housing, shopping, entertainment, and different modes of transportation. In order to fully mitigate traffic impacts within the Subdistricts Area, the UCSP would have had to implement a traffic mitigation measure that conflicts with the plan's primary objective, thus sacrificing pedestrian-friendly design for automobile-preferred design. In addition, some of these improvements could require additional right-of way that is currently developed with existing commercial and residential uses, which could not be assured at this time.

At the Broadway/H Street intersection (Int. #27), an additional northbound and southbound through lane would be required in order to achieve an acceptable LOS D

conditions. However, this improvement would require extensive widening of Broadway and H Street to allow for lane drops. The Automobile Priority Alternative would include this widening. It would, as a result, create longer pedestrian crossings.

At the Hilltop Drive/H Street intersection, the proposed UCSP includes no improvements due to right-of way constraints. The poor LOS at this intersection is primarily caused by the high traffic volumes in the eastbound/westbound movements. Additional through and/or turn lanes would be required in order to improve this intersection to an acceptable LOS. The Automobile Priority Alternative would include this improvement.

At the Third Avenue/J Street intersection, the proposed UCSP includes no improvements due to right-of way constraints. The required improvement is an additional southbound right-turn lane. The Automobile Priority Alternative would include this improvement.

Impacts:
The Automobile Priority Alternative would reduce impacts associated with automobile traffic, circulation and access to a level below significant. This impact was determined to be significant and unmitigable for the proposed UCSP. All other environmental impacts would be identical to those associated with the proposed UCSP, including landform alteration/aesthetics, cultural resources, geology and soils, paleontolgoical resources, water quality, noise, air quality, public services, energy, and hazards/risk of upset.

Findings:
While significant, unmitigated traffic impacts would be avoided by the Automobile Priority Alternative, key Project Objectives, as described below, would not be accomplished. The City rejects the Alternative because it does not meet most of the basic Project Objectives as effectively as the Project.

- *Develop updated design guidelines unique to the individual districts in the urban core that implement the urban form and create the active urban environment envisioned by the General Plan Update.*

  The GPU envisions a lively, pedestrian-friendly environment for the urban core, and borrows from smart growth principles contained in the Regional Comprehensive Plan and Regional Transportation Plan. These principles outline the need for different transportation modalities including pedestrian, bicycling, and public transit. Smart growth principles place priority on non-automotive forms of mobility as a means to promote higher quality of life and wiser use of limited natural resources. By including design provisions that maximize traffic flow and prioritize the automobile experience, the Automobile Priority Alternative limits the City's ability to implement the pedestrian-friendly streetscape and other improvements envisioned in the GPU and proposed UCSP.

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- *Establish a Plan implementation program for the provision of community benefits such as public infrastructure, mobility improvements, and urban amenities that enhance the quality of life for the community.*

  By including design provisions that maximize traffic flow and prioritize the automobile experience, the Automobile Priority Alternative limits the City's ability to implement the pedestrian-friendly streetscape improvements, diminishes opportunities to provide other modes of transport (walking, bicycles, and transit), and other public amenities envisioned in the GPU and proposed UCSP.

- *Facilitate revitalization of the downtown and surrounding commercial and residential areas by increasing certainty and predictability for all stakeholders that assures quality outcomes and streamline the development entitlement process.*

  A strategy inherent in this objective is the design of roadways and streetscapes that slow traffic down and allow a friendly pedestrian experience that invites greater patronage of streetside businesses. The Automobile Priority Alternative, by placing emphasis on increasing traffic flow through the Plan area, would contradict this key objective.

For these reasons, the City Council concludes that development consistent with the Automobile Priority Alternative is not feasible. (*See City of Del Mar, supra,* 133 Cal.App.3d at 417; *Sequoyah Hills, supra,* 23 Cal.App.4th at 715.) For additional discussion of the Automobile Priority Alternative, see Section 10.3 of the FEIR.

Environmentally Superior Alternative

CEQA requires that an FEIR identify the environmentally superior alternative among all of the alternatives considered, including the proposed project. If the No Project alternative is selected as environmentally superior, then the FEIR also shall identify an environmentally superior alternative among the other alternatives.

The environmental analysis of project alternatives presented in the FEIR indicates, through a comparison of potential impacts from each of the proposed alternatives and the proposed Project, that the Reduced Project Alternative would be environmentally superior because impacts identified for the proposed Project would be reduced. However, the Reduced Project Alternative would not fully implement the City's General Plan Update, which is a primary objective of the project. The findings as to the infeasibility of selecting the Reduced Project Alternative are provided above in 4.2. Reduced Project Alternative.

5.0 Project Effects Found Not to be Significant

Impacts related to the following criteria were found not to be significant, as a result of the analysis conducted for the FEIR. The basis for the conclusion as to the effect relative to those criteria is provided on the referenced pages of the FEIR.

	Page Location in FEIR
Land Use	
Criterion 1: Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.	5-19 through 5-34
Criterion 2: Physically divide or adversely affect the community character of an established community.	5-35 through 5-45
Landform Alternation/Aesthetics	
Criterion 1: Have a substantial adverse effect on a scenic vista, or substantially damage scenic resources, including, but not limited to, trees, and rock outcroppings and historic buildings within a scenic highway.	5-57 through 5-60
Population and Housing	
Criterion 1: Induces substantial population growth in an area, either directly or indirectly	5-126 through 5-127
Criterion 2: Displaces substantial numbers of existing housing, necessitating the construction or replacement of housing elsewhere	5-127 through 5-128
Criterion 3: Displaces substantial numbers of people, necessitating the construction or replacement of housing elsewhere	5-128
Hydrology and Water Quality	
Criterion 2: Substantially deplete groundwater resources or aquifer recharge areas	5-141
Criterion 3: Substantially alter the existing drainage pattern of the site or area or substantially increase surface runoff in a manner which would result in on-or off-site flooding or exceed capacity of existing drainage systems	5-141 through 5-142
Air Quality	
Criterion 2: Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	5-220
Criterion 5: Create objectionable odors affecting a substantial number of people.	5-238
Public Utilities - Water	
Criterion 1: Result in insufficient supplies of potable water to meet the potential demands represented by the	5-271 through 5-272

implementation of projects completed in conformance to the UCSP.	
Criterion 2: Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	5-272 through 5-273
Public Utilities – Integrated Waste Management	
Criterion 1: Be served by landfills with insufficient permitted capacity to accommodate the project's solid waste disposal needs.	5-281
Hazards/Risk of Upset	
Criterion 2: Place potential hazardous emitters or materials in close proximity to sensitive receivers or be located in close proximity to a hazardous materials site.	5-307
Criterion 3: Impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	5-307 through 5-308
Mineral Resources	9-1
Biological Resources	9-1
Agriculture	9-1

6.0 Statement of Overriding Considerations

CEQA allows a public agency to approve a project with significant, unavoidable impacts if the agency finds that the project will provide overriding economic, social, or other benefits.

6.1 Significant Unavoidable Adverse Impacts

The project would have significant, unavoidable impacts on the following areas, described in detail in these Findings of Fact:

- Cultural resources
- Traffic, circulation and access
- Noise
- Air quality
- Energy

The City has adopted all feasible mitigation measures with respect to these impacts. Although in some instances these mitigation measures may substantially lessen these significant impacts, adoption of the measures will not, in some cases, fully avoid the impacts.

The City has also examined a reasonable range of alternatives to the project. Based on this examination, the City has determined that none of these alternatives meet project objectives.

Despite the occurrence of significant adverse unavoidable environmental impacts, the City Council chooses to approve the Project because, in its view, the economic, social, and other benefits that the project will provide will render the significant effects acceptable.

The City has adopted this "statement of overriding considerations" pursuant to CEQA Guidelines sections 15043 and 15093. This statement allows a lead agency to cite a project's economic, social, or other benefits as a justification for choosing to allow the occurrence of specified significant environmental effects that have not been avoided.

6.2 Considerations in Support of Overriding Considerations

The following statement explains why, in the agency's judgment, the project's benefits outweigh the unavoidable significant effects. Where another substantive law (e.g., the California and Federal Clean Air Act) prohibits the lead agency from taking certain actions with environmental impacts, a statement of overriding considerations does not relieve the lead agency from such prohibitions. Rather, the decisionmaker has recommended mitigation measures based on the analysis contained in the final EIR,

recognizing that other resource agencies have the ability to impose more stringent standards or measures.

Although CEQA does not require lead agencies to analyze "beneficial impacts" in an EIR, the City Council recognizes that decisionmakers benefit from information about project benefits and has cited these benefits here, pursuant to CEQA Guidelines 15093. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. The substantial evidence supporting the various benefits can be found in the preceding Findings, which are incorporated by reference into this Section, and in the documents found in the Record of Proceedings, as defined in Section 1.3.

The City finds that the project would have the following substantial social, environmental, and economic benefits:

1. **Growth will be targeted to serve community need and enhance the quality of life.** The project will offer opportunities to live in safe and attractive neighborhoods; share in vibrant urban activities; work in healthy business environments; and enjoy ample cultural and civic amenities and recreational facilities. The pattern of development established by the UCSP - focuses on "smart growth principles" established by the 2005 General Plan Update to improve the quality of life for City residents and to reduce urban sprawl by providing well planned infill development Citywide, allowing for increased density in selected areas along established transportation corridors. Growth will be targeted to areas of Chula Vista that are well served by public transit and that provide opportunities for residences, retail businesses, and employment centers to be located close to one another. This approach to development encourages street-level economic development by putting pedestrians in close proximity to retail, restaurant, and commercial/office uses. Residents could work, live, shop, and play in transit-oriented areas, thereby encouraging economic growth and reducing automobile dependence. In this way, the Project promotes smart growth principles that call for compact, pedestrian-friendly neighborhoods that minimize the amount of open space lands that would be converted to urban uses. This approach to development reduces new vehicle trips resulting from new development and correspondingly, reduces traffic and associated air pollutant emissions. In this respect, this pattern of development benefits Chula Vista as well as the surrounding region.

2. **The project will provide for a vibrant urban area**. The project lays the foundation for providing a mixture of commercial, residential, civic and cultural amenities which will add to Chula Vista's character and secure its standing as the primary hub of the South Bay area.

3. **The project will help meet a projected long-term regional need for housing through the provision of additional housing.** SANDAG housing capacity studies indicate a shortage of housing will occur in the region within the next 20 years. The project would allow the development of an additional 7,100 dwelling

units. Reflecting a shortfall in residentially zoned land, the cost of housing has risen disproportionately in recent years to the cost of other uses in the project area (e.g., commercial, industrial). Because the project will increase the spatial extent and density of land designated for residential development by providing for mixed use zoning that allows residential uses to co-occupy blocks or parcels previously confined to commercial and office uses, it may additionally help to reduce the regional cost of housing. Thus, the Urban Core Specific Plan will result in additional housing that will promote affordability and socioeconomic diversity, two features the City finds both important and desirable.

4. **The project will connect and integrate the urban core activity centers and neighborhoods with the bayfront and eastern Chula Vista**. Through a network of local transportation services such as the trolley, intra-city express and shuttle loops, and expanded bus routes, the project will re-connect and integrate the urban core activity centers and neighborhoods with the bayfront and eastern Chula Vista. The Urban Core Specific Plan will also provide a system of bicycle and pedestrian paths that connect neighborhoods, activity centers, and recreation facilities throughout the urban core.

5. **The project will provide the tools necessary to implement the General Plan Update**.The vision established for the urban core through preparation of the General Plan Update will be implemented through a comprehensive set of new zoning classifications and updated development regulations and standards for mixed-use developments; develop updated design guidelines unique to the individual districts in the urban core that implement the urban form and create the active urban environment envisioned by the General Plan Update; and facilitate revitalization of the downtown and surrounding commercial and residential areas by increasing certainty and predictability for all stakeholders that assures quality outcomes and streamline the development entitlement process.

6. **Land use and transportation policy will help grow the local economy and create opportunities for new businesses.** The UCSP allows for up to 3.6 million square feet of net new nonresidential development in the form of commercial, office, and visitor serving uses. This additional space will add opportunities to create new jobs, building improvements, retention of the existing companies, a diverse economy, and infrastructure. Chula Vista's growth has resulted in many beneficial effects, principally the development of businesses that provide jobs and economic stability, creation of housing units affordable to a broad range of household incomes, the growth of educational institutions, and the vibrancy that results from a diverse, multi-ethnic and cultural community.

7. **The project reduces adverse impacts to air quality and automobile congestion.** The project area currently exceeds federal and state air quality standards for a number of emissions factors, including ozone and carbon monoxide. A substantial majority of these emissions are attributable to motor vehicles. In order to comply with the federal and California Clean Air Acts, the

San Diego region must reduce these sources. The project is designed to reduce the adverse impact to air quality and automobile congestion by encouraging use of alternative modes of transportation such as walking, biking and the use of public transit.

8. **Implementation of the project will promote the use of conservation technologies and sustainability practices that reduce or eliminate the use of non-renewable resources.** The Urban Core Specific Plan requires the submittal of a Leadership in Energy and Environmental Design (LEED) scorecard with application for an Urban Core Development Permit. Projects that meet selected green building Criterion will be awarded incentives. The project thus promotes local non-polluting and renewable energy, water, and material resources in a way that allows the City to meet their present needs while ensuring future generations the ability to meet their needs.

9. **Implementation of the project will provide significant community facilities.** The project will establish a Plan implementation program for the provision of significant community facilities and benefits such as public infrastructure, mobility improvements, and urban amenities that enhance the quality of life for the community. As the plan is implemented, it will be responsible for constructing public facilities and infrastructure to serve the Urban Core Specific Plan area. These facilities include:
    a. Improvements to the local circulation system;
    b. Schools serving western Chula Vista;
    c. Public parks and urban green spaces;
    d. Water line, drainage, and sewer infrastructure improvements.

For these reasons, the City Council finds there are economic, social, and other considerations resulting from the project that serve to override and outweigh the project's unavoidable significant environmental effects and, thus, considers the adverse unavoidable effects acceptable.

EXHIBIT B

CHULA VISTA URBAN CORE SPECIFIC PLAN
MITIGATION MONITORING REPORTING PROGRAM

Introduction

This mitigation monitoring reporting program (MMRP) was prepared for the City of Chula Vista Urban Core Specific Plan to comply with Public Resources Code section 21081.6, which requires public agencies to adopt such programs to ensure effective implementation of mitigation measures. This monitoring program is dynamic in that it will undergo changes as additional mitigation measures are identified and additional conditions of approval are placed on the project throughout the project approval process. Pursuant to Public Resources Code section 21081.6(a)(2), the City of Chula Vista designates the Environment Review Coordinator and the City Clerk as the custodians of the documents or their material which constitute the record of proceedings upon which its decision is based.

This monitoring program will serve a dual purpose of verifying completion of the mitigation identified in the EIR and generating information on the effectiveness of the mitigation measures to guide future decisions. The program includes the following:

- Monitor qualifications
- Specific monitoring activities
- Reporting system
- Criteria for evaluating the success of the mitigation measures

The proposed project is the adoption of the Chula Vista Urban Core Specific Plan (UCSP). The UCSP would govern the development and revitalization of the urban core of the City of Chula Vista. The UCSP includes land use objectives, development regulations (zoning), and development design guidelines to implement the adopted General Plan vision for the urban core. The UCSP's planning horizon is the year 2030.

The City of Chula Vista is located in southern San Diego County, between National City and the southernmost portion of the City of San Diego which abuts the U.S.-Mexican border. The UCSP area occupies 1,700 acres in the northwest portion of the City. A smaller, 690-gross-acre Subdistricts Area was determined to be most in need of revitalization and is the focus of all the regulatory land use provisions of the UCSP. The new zoning, development standards, and design guidelines proposed in the UCSP will apply only to the Subdistricts Area of the UCSP. Existing zoning and land use regulations will not be changed in the remaining portion of the UCSP study area outside the Subdistricts Area. The UCSP Subdistricts Area comprises the traditional downtown area east of I-5, west of Del Mar Avenue, north of L Street, and south of C Street.

Under the proposed Chula Vista Urban Core Specific Plan, the urban core would be organized into three planning districts (Urban Core, Village, and Corridors) and 26 subdistricts.

The proposed Chula Vista Urban Core Specific Plan is described in the Environmental Impact Report (EIR) text. The EIR, incorporated herein as referenced, focused on issues determined to be potentially significant by the City of Chula Vista. The issues addressed in the EIR include land use, landform alteration/aesthetics, cultural resources, geology and soils, paleontological resources, population and housing, hydrology and water quality, traffic circulation and access, noise, air quality, public services, public utilities, and hazards/risk of upset. The environmental analysis concluded that for all of the environmental issues discussed, some of the significant and potentially significant impacts could be avoided or reduced through implementation of recommended mitigation measures. Potentially significant impacts requiring mitigation were identified for landform alteration/aesthetics, cultural resources, geology and soils, paleontological resources, water quality, traffic circulation and access, noise, air quality, public services, public utilities (energy), and hazards/risk of upset.

Public Resources Code section 21081.6 requires monitoring of only those impacts identified as significant or potentially significant. The monitoring program for the Urban Core Specific Plan therefore addresses the impacts associated with only the issue areas identified above.

Mitigation Monitoring Team

The monitoring activities would be accomplished by individuals identified in the attached MMRP table. While specific qualifications should be determined by the City of Chula Vista, the monitoring team should possess the following capabilities:

- Interpersonal, decision-making, and management skills with demonstrated experience in working under trying field circumstances;
- Knowledge of and appreciation for the general environmental attributes and special features found in the project area;
- Knowledge of the types of environmental impacts associated with construction of cost-effective mitigation options; and
- Excellent communication skills.

Program Procedural Guidelines

Prior to any construction activities, meetings should take place between all the parties involved to initiate the monitoring program and establish the responsibility and authority of the participants. Mitigation measures that need to be defined in greater detail will be

addressed prior to any project plan approvals in follow-up meetings designed to discuss specific monitoring effects.

An effective reporting system must be established prior to any monitoring efforts. All parties involved must have a clear understanding of the mitigation measures as adopted and these mitigations must be distributed to the participants of the monitoring effort. Those that would have a complete list of all the mitigation measures adopted by the City of Chula Vista would include the City of Chula Vista and its Mitigation Monitor. The Mitigation Monitor would distribute to each Environmental Specialist and Environmental Monitor a specific list of mitigation measures that pertain to his or her monitoring tasks and the appropriate time frame that these mitigations are anticipated to be implemented.

In addition to the list of mitigation measures, the monitors will have mitigation monitoring report (MMR) forms, with each mitigation measure written out on the top of the form. Below the stated mitigation measure, the form will have a series of questions addressing the effectiveness of the mitigation measure. The monitors shall complete the MMR and file it with the MM following the monitoring activity. The MM will then include the conclusions of the MMR into an interim and final comprehensive construction report to be submitted to the City of Chula Vista. This report will describe the major accomplishments of the monitoring program, summarize problems encountered in achieving the goals of the program, evaluate solutions developed to overcome problems, and provide a list of recommendations for future monitoring programs. In addition, and if appropriate, each Environmental Monitor or Environmental Specialist will be required to fill out and submit a daily log report to the Mitigation Monitor. The daily log report will be used to record and account for the monitoring activities of the monitor. Weekly and/or monthly status reports, as determined appropriate, will be generated from the daily logs and compliance reports and will include supplemental material (i.e., memoranda, telephone logs, and letters). This type of feedback is essential for the City of Chula Vista to confirm the implementation and effectiveness of the mitigation measures imposed on the project.

Actions in Case of Noncompliance

There are generally three separate categories of noncompliance associated with the adopted conditions of approval:

- Noncompliance requiring an immediate halt to a specific task or piece of equipment;
- Infraction that warrants an immediate corrective action but does not result in work or task delay; and
- Infraction that does not warrant immediate corrective action and results in no work or task delay.

There are a number of options the City of Chula Vista may use to enforce this program should noncompliance continue. Some methods commonly used by other lead agencies include "stop work" orders, fines and penalties (civil), restitution, permit revocations, citations, and injunctions. It is essential that all parties involved in the program understand the authority and responsibility of the on-site monitors. Decisions regarding actions in case of noncompliance are the responsibility of the City of Chula Vista.

SUMMARY OF PROJECT IMPACTS AND MITIGATION MEASURES

The following table summarizes the potentially significant project impacts and lists the associated mitigation measures and the monitoring efforts necessary to ensure that the measures are properly implemented. All the mitigation measures identified in the EIR are recommended as conditions of project approval and are stated herein in language appropriate for such conditions. In addition, once the Chula Vista Urban Core Specific Plan has been approved, and during various stages of implementation, the designated monitor, the City of Chula Vista, will further refine the mitigation measures.

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Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
LANDFORM/ALTERATION AND AESTHETICS			
Aesthetics/Visual Character. To accommodate a three-fold increase in population projected for the urban core by the year 2030, redevelopment and new development within the UCSP Subdistricts Area would change the existing visual character from mostly low-rise (up to 48 feet in height) single-use commercial blocks surrounded by multi-family residential blocks, to a mix of low-rise (up to 45 feet in height) and mid-rise (up to 84 feet in height) mixed-use commercial/office and residential blocks, with high-rise structures (up to 210 feet in height) allowed in the areas surrounding the existing E Street and H Street trolley stations. Potentially significant changes to existing visual character, blue sky views, solar access, and ventilation conditions would result from this intensification in land use. To ensure avoidance of potentially significant visual character impacts, all subsequent development projects in the UCSP Subdistricts Area will be required to comply with relevant UCSP provisions, as outlined in Mitigation Measure 5.2.5-1.	5.2.5-1: All subsequent development projects in the UCSP Subdistricts Area shall comply with UCSP development regulations and design guidelines which are necessary to reduce or avoid potential impacts to landform alteration and visual quality (including blue sky views, solar access, and ventilation), and which may include but not be limited to the special development regulations for mixed-use projects (p. VI-43), the NTCD and TFA regulations (p. VI-40), and the siting and architectural design guidelines for each district (Chapter VII). Prior to approval of a subsequent development project, the Community Development Director or Planning and Building Director of the City shall identify the specific provisions of the UCSP which shall be included in the conditions of approval in order to avoid or to reduce potential impacts to below significance.	Prior to the approval of Urban Core Development Permit (UCDP).	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
LANDFORM/ALTERATION AND AESTHETICS (cont.)			
Light and Glare Effects. Light sensitive activities (e.g. sleeping) could potentially be adversely impacted by light or glare in excess of baseline conditions due to buildout of the UCSP and intensification of land use. However, various provisions in the UCSP development regulations and design guidelines (UCSP Chapters VI and VII) serve to control light and glare sources and ensure that light pollution and glare would be minimal. To ensure avoidance of potential light and glare impacts, all subsequent development projects in the UCSP Subdistricts Area will be required to comply with relevant UCSP provisions as outlined in Mitigation Measure 5.2.5-2.	5.2.5-2: All subsequent development projects in the UCSP Subdistricts Area shall comply with UCSP development regulations and design guidelines which are necessary to reduce or avoid potential adverse impacts to light or glare and which may include but not be limited to the provisions included in section 5.2.3.3 a through e of this EIR. Prior to approval of a subsequent development project, the Community Development Director or Planning and Building Director of the City shall identify the specific provisions of the UCSP which shall be included in the conditions of approval in order to avoid or to reduce potential light and glare impacts to below significance.	Prior to the approval of Urban Core Development Permit (UCDP).	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
CULTURAL RESOURCES			
Architectural Resources. *So far eleven* buildings or sites within the UCSP Subdistricts Area have been locally designated or determined to be eligible to be designated as historically significant as defined in the CEQA Guidelines. Six of the eleven sites are currently listed on the Chula Vista List of Historic Sites. The other five sites were determined by a focused survey in September 2005 to be eligible for local listing. Without mitigation, demolition or substantial alteration of any of these eleven historic resources as a result of future development in accordance with the proposed UCSP would comprise a significant historical architectural resources impact. The area around Third Avenue and F Street is considered the traditional heart of the City and includes important elements of the early residential and business activities of the City. The potential for the existence of other unidentified historic properties is highly probable given the number of older commercial and residential structures throughout the UCSP Subdistricts	5.3.5-1: For a structure listed on, or eligible for listing on, the Chula Vista List of Historic Sites or State and Federal historic registers, the project applicant shall retain the structure in-place and maintain, repair, stabilize, rehabilitate, restore, preserve or reconstruct the structure in a manner consistent with the Secretary of the Interior's *Standards for the Treatment of Historic Properties* with *Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* (1995), Weeks and Grimmer ("Secretary's Standards"). Prior to issuance of an Urban Core Development Permit (UCDP) or other discretionary permit, the project applicant shall prepare detailed construction plans under the supervision of a qualified architectural historian or historic architect for review and approval by the Community Development Director. The Community Development Director shall retain, at the project applicant's expense, a qualified historic architect to review the plans and to certify that the project will comply with the Secretary's Standards and would not result in the loss of the structure's listing, or eligibility for listing, on the City, State or Federal register of historic resources.	Prior to the approval of Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
CULTURAL RESOURCES (cont.)			
Area. If significant historic resources occur among these unidentified structures, their loss or substantial alteration would comprise a significant historical architectural resources impact. Implementation of Mitigation Measures 5.3.5-1, 5.3.5-2 and 5.3.5-4 would reduce potential impacts to historic resources to below a level of significance. In some circumstances, implementation of Mitigation Measure 5.3.5-3, which provides for documentation of an historic resource, would not mitigate significant impacts to a point where clearly no significant effect on the environment would occur. In that event, a potential impact to historic resources may be significant and unavoidable.	5.3.5-2: Where there is substantial evidence that it is not feasible for a structure listed on or eligible for listing on the Chula Vista List of Historic Sites or State or Federal historic registers to be retained in-place, the project applicant shall provide for relocation and maintenance, repair, stabilization, rehabilitation, restoration or preservation of the structure in a manner consistent with the Secretary of the Interior's *Standards for the Interior's Standards for the Treatment of Historic Proper-ties* with *Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* (1995), Weeks and Grimmer ("Secretary's Standards") at a new location subject to the approval of the City. Prior to issuance of an Urban Core Development Permit (UCDP) or other discretionary permit, the project applicant shall prepare detailed relocation plans under the supervision of a qualified architectural historian or historic architect for review and approval by the Community Development Director. The Community Development Director shall retain, at the project applicant's expense, a qualified historic architect to review the plans and to	Prior to the approval of Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
CULTURAL RESOURCES (cont.)			
	certify that the project will comply with the Secretary's Standards and would not result in the loss of the structure's listing, or eligibility for listing, on the City, State or Federal register of historic resources.	Prior to the approval of Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)
	5.3.5-3: Where there is substantial evidence, as determined by CEQA Guidelines Section 15064.5 (b) (4), that it is not feasible for a structure listed on or eligible for listing on the Chula Vista List of Historic Sites or State or Federal historic registers to be retained in-place or to be relocated to another location satisfactory to the City, the project applicant shall:		
	Provide for documentation of the historical structure before it is removed from the development site, including but not limited to photographic documentation of the exterior and interior of the structure, and "as built" drawings of the structure according to the standards of the Historic American Building Survey (HABS, Level I). Such historical documentation shall be provided to the CVRC or RCC, as applicable, before a demolition permit is issued by the City for the structure.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
CULTURAL RESOURCES (cont.)			
	5.3.5-4: For those structures 45 years or older and not previously evaluated, a determination of historic significance shall be made based on the significance criteria in Section 5.3.2 (and repeated below) prior to the issuance of a demolition permit. A site or structure may be listed on the Chula Vista List of Historic Sites if it possesses integrity (of location, design, setting, materials, workmanship, feeling and association), and meets at least one of the following criteria: • Is associated with events that have made a significant contribution to the broad patterns of history at the local, regional, state or national level. • Is associated with the lives of significant persons in the past on a local, regional, state or national level. • Embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values.	Prior to the approval of Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
CULTURAL RESOURCES (cont.)			
	• Has yielded or may be likely to yield, information important in history or prehistory. If a resource is determined by the City to be historically significant pursuant to the above listed criteria, Mitigation Measure 5.3.5-2, 5.3.5-3, or 5.3.5-4 shall be implemented as applicable.		
Archaeological Resources. The UCSP Subdistricts Area is mapped as having low sensitivity for the occurrence of archaeological resources. Although the likelihood of encountering significant archaeological resources and human remains is low, the potential does exist. In the unlikely event that prehistoric cultural materials are found during subsurface disturbance resulting from future developments, there would be a significant archaeological impact.	5.3.5-5: The likelihood of encountering archaeological resources is low within the UCSP Subdistricts Area. The following mitigation shall only be applied to projects which involve subsurface excavation to the depth of greater than or equal to six feet, or for any project site that has not had substantial previous excavation. Prior to approval of any construction permits, including but not limited to, the first Grading Permit, Demolition Permit, and Urban Core Development Permit, the Community Development Director shall verify that the requirements for Archaeological Monitoring and Native American monitoring, if applicable, have been noted on the appropriate construction documents.	Prior to the approval of any construction permits, including but not limited to the first Grading Permit, Demolition Permit, and Urban Core Development Permit (UCDP).	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
CULTURAL RESOURCES (cont.)			
	• The applicant/developer shall submit documentation to the Community Development Director identifying the qualified Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, the areas to be monitored, and a construction schedule indicating when and where monitoring will occur. • During construction, the monitor shall be present full-time during soil remediation and grading/excavation/trenching activities which could result in impacts to archaeological resources, and shall document field activity and in the case of any discoveries. • In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the resident engineer or building inspector, as appropriate. The monitor shall immediately notify the PI (unless the Monitor is the PI) of the discovery and the PI and Native American representative, if applicable, shall evaluate the significance of the resource.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
CULTURAL RESOURCES (cont.)			
	• Once encountered, artifacts associated with an archaeological feature or deposit are required to be documented in place, analyzed in a laboratory setting and prepared for curation in accordance with CEQA provisions and local guidelines. • If human remains are discovered, work shall halt in that area and the procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
GEOLOGY/SOILS			
Geologic Hazards. The UCSP area is potentially subject to strong ground shaking by an earthquake along the active Rose Canyon fault zone, or other active faults in the region. The UCSP Subdistricts Area may additionally be subject to liquefaction along its western boundary. Compressible and expansive soils also have the potential to be encountered by future development throughout the Subdistricts Area. Buildout of the UCSP would result in an increase in housing, office space, retail space, and hotels that would be subject to these potentially significant seismic and soils hazards. Therefore, there would be a proportionate increase in personal and property damage as the population within the urban core increases.	5.4.5-1: Prior to the approval of each subsequent development project, the project applicant shall submit a comprehensive soil and geologic evaluation of the project site to the City Engineer and/or Building Official for review and approval. The evaluation shall be prepared by a licensed geotechnical engineer in order to identify site-specific conditions and to determine whether potential soil and geologic hazards exist on the site. The evaluation shall include, but not be limited to, a delineation of specific locations where liquefiable, compressive, and expansive soils would affect structural stability and where graded slopes would expose bedrock susceptible to instability. Liquefiable, expansive, or compressive soils shall be removed from the site and shall be replaced with compacted fill.	Prior to the approval of any building permits, including but not limited to the Urban Core Development Permit (UCDP).	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
GEOLOGY/SOILS (cont.)			
Implementation of project-specific mitigation measures would be required to reduce or avoid significant impacts resulting from groundshaking, liquefaction, and compressible and expansive soils. Construction on liquefiable soils could result in injuries or loss of property during ground shaking of sufficient magnitude and duration. Expansive soils within pavement, foundation, or slab subgrade could heave when wetted, resulting in cracking or failure of these development improvements. Development on compressible soils could potentially settle under increased load and damage structures, roads, and property.	5.4.5-2: Prior to the issuance of a building permit for each subsequent development project, the City Building Official shall verify that the design of all structures proposed for a specific site comply with the requirements of all federal, state and local building codes and regulations governing earthquake safety and structural stability and with the standard practices of the Association of Structural Engineers of California.	Prior to the approval of any building permits, including but not limited to the Urban Core Development Permit (UCDP).	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
PALEONTOLOGICAL RESOURCES			
Paleontolgical Sensitivity. The UCSP area contains a large expanse of moderate paleontological resource sensitivity. Exposure or disturbance of unnamed nearshore marine sandstone and the Linda Vista Formation would potentially significantly impact paleontological resources. Because the UCSP area is fully developed with urban uses, future grading would typically be minimal except in areas with sub-garages and sub-floors. Development proposed in areas of moderate sensitivity that propose to grade in excess of 2000 cubic yards and five feet deep will require mitigation.	5.5-1: Subsequent development projects that propose grading in excess of 2,000 cubic yards and five feet depth in areas of moderate sensitivity for paleontological resources shall be required to implement a pre-construction or construction monitoring program, or both, as a condition of approval. All mitigation programs shall be performed by a qualified professional paleontologist, defined here as an individual with a M.S. or Ph.D. in paleontology or geology who has proven experience in San Diego County paleontology and who is knowledgeable in professional paleontological procedures and techniques. Fieldwork may be conducted by a qualified paleontological monitor, defined here as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor shall always work under the direction of a qualified paleontologist.	Prior to the approval of any construction permits, including but not limited to the first Grading Permit, Demolition Permit, and Urban Core Development Permit (UCDP).	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
PALEONTOLOGICAL RESOURCES (cont.)			
	Pre-construction mitigation. This method of mitigation is only applicable to instances where well-preserved and significant fossil remains, discovered in the assessment phase, would be destroyed during initial clearing and equipment move-on. The individual tasks of this program include: 1. Surface prospecting for exposed fossil remains, generally involving inspection of existing bedrock outcrops but possibly also excavation of test trenches; 2. Surface collection of discovered fossil remains, typically involving simple excavation of the exposed specimen but possibly also plaster jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits; 3. Recovery of stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including description of lithologies of fossil-bearing strata, measurement and description of the overall stratigraphic section, and photographic documentation of the geologic setting;		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
PALEONTOLOGICAL RESOURCES (cont.)			
	4. Laboratory preparation (cleaning and repair) of collected fossil remains, generally involving removal of enclosing rock material, stabilization of fragile specimens (using glues and other hardeners), and repair of broken specimens; 5. Cataloging and identification of prepared fossil remains, typically involving scientific identification of specimens, inventory of specimens, assignment of catalog numbers, and entry of data into an inventory database; 6. Transferal, for storage, of cataloged fossil remains to an accredited institution (museum or university) that maintains paleontological collections (including the fossil specimens, copies of all field notes, maps, stratigraphic sections, and photographs); and 7. Preparation of a final report summarizing the field and laboratory methods used, the stratigraphic units inspected, the types of fossils recovered, and the significance of the curated collection.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
PALEONTOLOGICAL RESOURCES (cont.)			
	Construction mitigation. Under this program, mitigation occurs while excavation operations are underway. The scope and pace of excavation generally dictate the scope and pace of mitigation. The individual tasks of a construction mitigation program typically include: 1. Monitoring of excavation operations to discover unearthed fossil remains, generally involving inspection of ongoing excavation exposures (e.g., sheet graded pads, cut slopes, roadcuts, basement excavations, and trench sidewalls); 2. Salvage of unearthed fossil remains, typically involving simple excavation of the exposed specimen but possibly also plaster jacketing of large and/or fragile specimens, or more elaborate quarry excavations of richly fossiliferous deposits; 3. Recovery of stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including description of lithologies of fossil-bearing strata, measurement and description of the overall stratigraphic section, and photographic documentation of the geologic setting;		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
PALEONTOLOGICAL RESOURCES (cont.)			
	4. Laboratory preparation (cleaning and repair) of collected fossil remains, generally involving removal of enclosing rock material, stabilization of fragile specimens (using glues and other hardeners), and repair of broken specimens; 5. Cataloging and identification of prepared fossil remains, typically involving scientific identification of specimens, inventory of specimens, assignment of catalog numbers, and entry of data into an inventory database; 6. Transferal, for storage, of cataloged fossil remains to an accredited institution (museum or university) that maintains paleontological collections, including the fossil specimens, copies of all field notes, maps, stratigraphic sections and photographs; and 7. Preparation of a final report summarizing the field and laboratory methods used, the stratigraphic units inspected, the types of fossils recovered, and the significance of the curated collection.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
HYDROLOGY/WATER QUALITY			
Surface and Ground Water Quality. Implementation of the proposed UCSP would allow a three-fold increase in population and associated intensification of existing urban land uses which would likely result in a substantial increase in direct runoff to drainage basins, municipal storm sewer systems, and eventual drainage to surface water and/or the ocean. This runoff will likely contain typical urban runoff pollutants such as sediment, pathogens, heavy metals, petroleum products, nutrients (phosphates and nitrates) and trash. This comprises a potentially significant long-term water quality impact. The potential long-term impacts to water quality which may result from implementation of the proposed UCSP would be required to be reduced to acceptable levels through the mandatory controls imposed by local, state, and federal regulations.	5.7-1: Prior to approval of subsequent individual development projects, compliance with all applicable federal, state and local laws and regulations regarding water quality (e.g. JURMP, SUSMP, NPDES, SWPP, and City Development and Redevelopment Projects Storm Water Manual) shall be demonstrated to the satisfaction of the City Engineer.	Prior to the approval of any construction permits, including but not limited to the first Grading Permit, Demolition Permit, and Urban Core Development Permit (UCDP).	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
HYDROLOGY/WATER QUALITY (cont.)			
Selected provisions of the UCSP that allow and encourage native plant landscaping and sustainable building practices (water input and waste efficiencies, living roofs, bioswales, etc.) would potentially lessen future runoff volumes, flow rate and pollutant concentration. The construction activities of subsequent individual projects would also potentially cause short-term water quality impacts through direct discharge of pollutants, soil excavation/sedimentation, and through encountering of shallow groundwater during subfloor grading. This comprises a potentially significant short-term water quality impact.	5.7-2: Prior to approval of subsequent individual development projects, project applicants shall demonstrate to the satisfaction of the City Engineer that the proposed on-site storm drain systems fully mitigate drainage impacts and meet all federal, state, and regional water quality objectives and all City standards and requirements. Land development construction drawings and associated reports shall include details, notes, and discussions relative to the required or recommended Best Management Practices (BMPs). Permanent storm water BMP requirements shall be incorporated into the project design and all subsequent individual development projects are required to complete the applicable Storm Water Compliance Form and comply with the City of Chula Vista's Storm Water Management Standards Requirements Manual.	Prior to the approval of any construction permits, including but not limited to the first Grading Permit, Demolition Permit, and Urban Core Development Permit (UCDP).	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
HYDROLOGY/WATER QUALITY (cont.)			
	5.7-3: The City of Chula Vista requires that all new development and significant redevelopment projects comply with the requirements of the NPDES Municipal Permit, Order No. 2001-01. According to said permit, all projects falling under the Priority Development Project Categories are required to comply with the Standard Urban Storm Water Mitigation Plans (SUSMP) and Numeric Sizing Criteria. Future projects shall comply with all applicable regulations, established by the United States Environmental Protection Agency (USEPA), as set forth in the National Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff and storm water discharge, and any regulations adopted by the City of Chula Vista pursuant to the NPDES regulations and requirements. Further, the applicant shall file a Notice of Intent (NOI) with the State Water Resource Control Board to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction Activity and shall	Prior to the approval of any construction permits, including but not limited to the first Grading Permit, Demolition Permit, and Urban Core Development Permit (UCDP).	City of Chula Vista (CCV)

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URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
HYDROLOGY/WATER QUALITY (cont.)			
	implement a Storm Water Pollution Prevention Plan (SWPP) concurrent with the commencement of grading activities. The SWPP shall include both construction and post-construction pollution prevention and pollution control measures, and shall identify funding mechanisms for the maintenance of post-construction control measures.		
	5.7-4: Prior to issuance of an Urban Core Development Permit or other discretionary permit, all subsequent individual development projects shall demonstrate to the satisfaction of the Community Development Director, conformance with Mediterranean/indigenous landscaping and other relevant design recommendations provided in UCSP Chapter VII Development Design Guidelines.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

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URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION			
Road Segments and Intersections Level of Service. A substantial increase in traffic on area roadways and at area intersections will result from planned population growth in the urban core area over the next 25 years. Without the intersection and roadway improvements envisioned in the proposed UCSP, by year 2030 conditions, 2 road segments and 19 intersections would operate at unacceptable LOS E or worse during peak traffic periods. This comprises a significant traffic impact prior to mitigation. The significant impacts to intersections will be mitigated to below significance by implementation of the improvements recommended in Mitigation Measure 5.8.5-1, with the exception of #27 Broadway/H Street, #33 Hilltop Drive/H Street and #54 Third Avenue/J Street. Impacts to these 3 intersections would remain significant and unmitigated.	5.8.5 -1: Intersection Improvements. Impacts to the 19 affected intersections will be mitigated to below significance by the implementation of improvements that have been divided into three tiers for phased implementation based on need and enhancement of the overall street network. Generally, time frames associated with the tiered improvements are anticipated as short-, mid- and long-term. In each tier, the City's existing TMP will determine the order in which projects are implemented during the biannual CIP program review. The Tier 1 improvements would be included in the current CIP and subsequently monitored for improvement within the first five years of implementation of the UCSP. It should be noted that three of the intersections (#7, #16, and #21) are proposed as project features rather than as needed to improve intersection LOS and most likely will be related to and timed with implementation of streetscape improvements along Third Avenue.	Three-tiered phasing of implementation based on need. Tier 1, short-term, improvements are to occur within the first five years of implementation of the UCSP or as may be modified by results of the annual Traffic Monitoring Program (TMP).	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
Recommendations at intersections #27, #33, and #54 do not improve conditions to an acceptable LOS due to ROW and design constraints. The following describes the constraints at the three intersections: • At the Broadway/H Street intersection (#27), an additional northbound and southbound through lane would be required in order to achieve an acceptable LOS D conditions. However, this improvement would require extensive widening of Broadway and H Street to allow for lane drops. Furthermore, this widening would create longer pedestrian crossings. As such, the recommended improvements of the eastbound queue jumper lane and the additional westbound through and right-turn lanes would improve the intersection from LOS F to LOS E conditions.	The intersection numbers in the improvements described below correspond to the intersection numbering system used in the TIA (Appendix C of this EIR): a. Tier 1 Improvements • #1 Bay Boulevard/I-5 Southbound Ramp/E Street: Add an eastbound through and right-turn lane, southbound right-turn lane, and northbound right-turn lane. Coordination with Caltrans will be required for this improvement. • #2 I-5 Northbound Ramp/E Street: Add a westbound right-turn lane. Coordination with Caltrans will be required for this improvement • #7 Third Avenue/E Street: Convert the northbound and southbound shared right-through lane into exclusive right-turn lanes. • #16 Third Avenue/F Street: Separate the southbound shared through-right lane into an exclusive through and right-turn lanes, convert the northbound shared through-right lane into an exclusive right-turn lane.		

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URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
• At the Hilltop Drive/H Street intersection (#33), no improvements would be recommended due to ROW constraints. The poor LOS at this intersection is primarily caused by the high traffic volumes in the eastbound/westbound movements. Additional through and/or turn lanes would be required in order to improve this intersection to an acceptable LOS. With no improvements, this intersection would remain at LOS E during both peak periods. • At the Third Avenue/J Street intersection (#54), the required improvement of an additional southbound right-turn lane would impact the existing commercial building (Henry's Marketplace), which is built adjacent to the sidewalk. Therefore, this improvement is not recommended.	• #21 Third Avenue/G Street: Convert the northbound/southbound shared through-right lane into exclusive right-turn lanes. • #24 I-5 Southbound Ramp/H Street: Add a southbound left, eastbound through and right-turn lanes. Coordination with Caltrans will be required for this improvement. • #25 I-5 Northbound Ramp/H Street: Add a westbound through and right-turn lane and restripe south approach to accommodate dual left-turn lanes. Coordination with Caltrans will be required for this improvement. • #26 Woodlawn Avenue/H Street: Change Woodlawn Avenue to a one-way couplet. This improvement is required to serve the intense redevelopment occurring on both sides of H Street. The couplet improvement is not required mitigation further north toward E Street. • #27 Broadway/H Street: Add an eastbound transit queue jumper lane and westbound through and right-turn lanes.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
As a result, the LOS would remain at LOS E. However, if the property were to redevelop in the future, additional ROW could be obtained for the southbound right-turn lane.	• #28 Fifth Avenue/H Street: Change the northbound/southbound approaches to include protective plus permissive phasing and add a westbound right-turn lane.		
While existing TransNet funding is expected to cover some of the costs of roadway and transit improvements and existing traffic signal fees currently collected as new development occurs would be applied, as appropriate, to identified signal-phasing improvements, the Facilities Implementation Analysis (FIA) has identified proposed development fees that may be needed to fund some of the recommended traffic improvements. In addition, some of the improvements will require right of way dedications either as part of the development process or concurrent with capital improvements, and/or coordination with Caltrans.	• #29 Fourth Avenue/H Street: Add an eastbound/westbound right-turn lane. • #44 Fourth Avenue/SR-54 Eastbound Ramp: Add an eastbound right-turn lane. Coordination with Caltrans will be required for this improvement. b. Tier 2 Improvements • #34 Broadway/SR-54 Westbound Ramp: Add a westbound right-turn lane. Coordination with Caltrans will be required for this improvement. • #59 J Street/I-5 Northbound Ramp: Add an eastbound left-turn and westbound right-turn lane. Coordination with Caltrans will be required for this improvement.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
	• #61 L Street/Bay Boulevard: Signalize the intersection, add a southbound left-turn lane, and a northbound right-turn overlap phase to the traffic signal. • #63 Bay Boulevard/I-5 Southbound Ramp: Signalize the intersection. Coordination with Caltrans will be required for this improvement. • #64 Industrial Boulevard/I-5 Northbound Ramp: Signalize the intersection. Coordination with Caltrans will be required for this improvement. • H Street from four lanes to six lanes from I-5 to Broadway c. Tier 3 Improvements • #13 Broadway/F Street: Add an eastbound right-turn lane. • #45 Fourth Avenue/Brisbane Street: Add a southbound right-turn overlap phase to the traffic signal. • #57 Second Avenue/D Street: Convert to an all-way stop controlled intersection.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
	On an annual basis during buildout of the UCSP, the City shall apply the TMP to monitor actual performance of the street system in the Subdistricts Area by conducting roadway segment travel time studies in accordance with the City's Growth Management Program and Traffic Threshold Standards. The results of the annual study under the TMP will be used by the City to determine the timing and need for implementation of improvements to the nineteen intersections identified above as having potential significant impacts. The City shall implement the intersection improvements in phases based on the results of the annual TMP and on need and enhancement to the function of the overall street network. In addition to determining timing and need, this systems and operations monitoring approach should also be used to further ascertain final design details of the intersection improvements and may include consideration of the effects on traffic flow as well as the impacts/benefits to other travel modes (e.g., pedestrians and bicycles) that are foundational to the successful implementation of the Specific Plan.		

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URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
The potential significant impacts to street segments will be mitigated to below significance by implementation of the improvements recommended in Mitigation Measure 5.8.5-2, with the exception of Third Avenue between E and G Streets. The significant and unavoidable impact to this street segment result from the design of the project, which is intended to reduce Third Avenue to a two-lane downtown promenade to facilitate an enhanced pedestrian environment along the traditional commercial village. Although the planned improvements would result in an unacceptable LOS, they would meet the project objectives of creating a more pedestrian friendly and active streetscape that will accommodate multi-modes of transportation rather than accommodating only the automobile.	5.8.5-2: Segment Improvements. During build-out of the UCSP, the City shall apply the Traffic Monitoring Program (TMP) to monitor actual performance of the street system in the Subdistricts Area by conducting roadway segment travel time studies in accordance with the City's Growth Management Program and Traffic Threshold Standards. The results of the annual study under the TMP will be used by the City to determine the timing and need for implementation of improvements to the street segments identified as having potential significant impacts. The City shall implement the following street segment improvements: (1) based on the results of the annual TMP; or (2) based on need and enhancement to the function of the overall street network; and (3) in a manner that efficiently implements with phasing of necessary adjacent intersection improvements.	Timing of implementation based on (1) results of the annual Traffic Monitoring Program (TMP); (2) need and enhancement to the function of the overall street network; and (3) in a manner that efficiently implements with phasing of necessary adjacent intersection improvements.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
	1) H Street between I-5 and Broadway would be reclassified as a six-lane gateway. As a result, the acceptable ADT would increase and result in an acceptable LOS.		
	2) Third Avenue between E Street and G Street would be constructed as a two-lane downtown promenade to facilitate an enhanced pedestrian environment along the traditional commercial village. As a result, the acceptable ADT along the segment would decrease and result in an unacceptable LOS. As such, impacts to Third Avenue will be significant and unavoidable. However, the Third Avenue corridor intersections at E, F and G Streets would all operate at an acceptable LOS.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
Due to the long-term nature of some of the improvements, the fee program and coordination have either not been implemented or begun, respectively, whereas the right of way exactions would occur with redevelopment. While these improvements are intended to be implemented when necessary and within the Tiers noted above, their long-term implementation cannot be assured at this time. Identified significant impacts will be partially mitigated but due to the lack of funding assurances at this time, future coordination with CALTRANS and SANDAG, and future right of way exactions, impacts are considered significant and unmitigated.	5.8.5- 3:Prior to issuance of an Urban Core Development Permit, subsequent development projects shall prepare a traffic assessment to quantify the projects' potential traffic impacts. Subsequent projects will be required to contribute their fair share to the Tiered Improvements listed above under Mitigation 5.8.5.1. Mitigation may be in the form of: 1. Payment of Transportation Development Impact Fee (TDIF), as may be established in the future for the western portion of the City; 2. Payment of existing Traffic Impact Signal Fee; 3. Construction of improvements within the project boundaries; and/or 4. Early advancement of improvements beyond the project boundaries, subject to a reimbursement agreement.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
	The City's TDIF program for the west side of the City, including the Urban Core is anticipated to be developed within the subsequent twelve months following adoption of the UCSP. The TDIF will clearly establish the costs of the improvements identified above as well as the fair share costs to be applied to all subsequent development projects. Once the TDIF has been established, the fee will be consistently applied to all subsequent development projects, until such time that the TDIF is amended or rescinded. In the interim, if subsequent development projects are processed and approved prior to the establishment of a TDIF, a condition of approval will be included that prior to issuance of building permits the project will contribute to the TDIF, as may be established.		

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URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
Pedestrian, Bicycling and Public Transit. The three-fold increase in population projected for the UCSP Subdistricts Area by 2030 would place greater demands on public transit services. However, provisions of the UCSP serve to benefit, rather than to deteriorate, mobility conditions for pedestrians, bicyclists and public transit users. Additionally, the UCSP does not conflict with any adopted plans or programs supporting alternative transportation. Impacts to alternative forms of transportation as a result of the proposed UCSP would not be significant nor adverse given adherence of subsequent projects to relevant regulations and guidelines of the UCSP as outlined in Mitigation Measure 5.8.5-4.	5.8.5-4: Prior to issuance of an Urban Core Development Permit for subsequent development projects, the traffic assessment prepared to quantify the projects' potential traffic impacts will also identify how alternative modes of transportation will be accommodated. Mitigation may be in the form of: 1) Compliance with the development regulations and design guidelines of the UCSP to accommodate pedestrians, bicyclists and public transit; and 2) Where applicable, construction of improvements within the project boundaries; and/or 3) Early advancement of improvements beyond the project boundaries, subject to a reimbursement agreement.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
Parking. A projected total of 18,560 parking spaces would be required to serve future development of the proposed UCSP at buildout. Potential significant impacts to parking would be reduced to below significance by the incorporation of these development regulations and design guidelines into subsequent development projects, as required as part of the UCSP design review process. Parking improvements will either be made on-site (i.e. where required of subsequent development projects), or off-site (i.e. in coordination with the City's Parking District or in Lieu Fee program). A number of other parking improvement strategies are included in the UCSP including raking buffers, parking districts and parking structures.	5.8.5-5: Prior to issuance of an Urban Core Development Permit, subsequent development projects shall comply with the parking standards set forth in the UCSP development regulations and design guidelines for the type and intensity of development proposed.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
Multi-Jurisdictional Efforts. The proposed UCSP will result in both direct and cumulatively significant traffic impacts to study area freeway segments and ramps. As described above under Road Segments and Intersections Level of Service, the following freeway interchanges would be significantly impacted by the proposed UCSP: • #1: Bay Boulevard/I-5 SB ramp at E Street (LOS E – AM Peak, LOS F – PM Peak); • #2: I-5 NB Ramp at E Street (LOS E – AM and PM Peak); • #24: I-5 SB Ramp at H Street (LOS F – PM Peak); • #25: I-5 NB Ramp at H Street (LOS F – PM Peak); • #34: Broadway at SR-54 WB Ramp (LOS F – AM Peak); • #44: Fourth Avenue at SR-54 EB Ramp (LOS F – PM Peak);	5.8.5-6: The City shall participate in a multi-jurisdictional effort conducted by Caltrans and SANDAG to assist in developing a detailed engineering study of the freeway right-of-way that will identify transportation improvements along with funding, including federal, state, regional, and local funding sources, and phasing, that would reduce congestion consistent with Caltrans Standards on the I-5 South corridor from the State Route 54 (SR-54) interchange to State Route 75 (SR-75)/Palm Avenue (the "I-5 South Corridor") (hereinafter, the "Plan). Local funding sources may include fair share contributions by private development based on nexus as well as other mechanisms. The Plan required by this mitigation shall include the following: 1) The responsible entities (the "Entities") included in this effort will include, but may not be limited to the City, the Port, SANDAG, and Caltrans. Other entities may be included upon the concurrence of the foregoing Entities.	To coincide with multi-year planning effort that began June 2005, is ongoing and scheduled to conclude in three to five years.	City of Chula Vista (CCV), in cooperation with other jurisdictions.

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
• #59: J Street at I-5 NB Ramp (LOS F – AM Peak, LOS E – PM Peak); • #63: Bay Boulevard at I-5 SB Ramp (LOS F – AM and PM Peak); and • #64: Industrial Boulevard at I-5 NB Ramp (LOS F – PM Peak). The monitoring of traffic as stipulated by Mitigation Measure 5.8.5-1 will assist in establishing the need and timing for transportation improvements, including freeway-related improvements, serving the UCSP area. In addition, Mitigation Measure 5.8.5-3 requires subsequent development projects to prepare a traffic assessment to quantify the project's potential traffic impacts. Subsequent projects will also be required to contribute their fair share to the Tiered Improvements listed above under Mitigation 5.8.5.1.	2) The Plan will specifically identify physical and operational improvements to I-5, relevant arterial roads and transit facilities (the "Improvements"), that are focused on specific transportation impacts and will also identify the fair share responsibilities of each Entity for the construction and financing for each Improvement. The Plan may also identify other improvements necessary to address regional transportation needs, but for purposes of this mitigation measure, the Improvements included in the Plan need only be designed to mitigate the impacts created by the Proposed Project. 3) The Plan will set forth a timeline and other agreed-upon relevant criteria for implementation of each Improvement.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
Mitigation of impacts will require development and regional acceptance of a feasible program to improve freeway segments and ramps in the Urban Core area. The City, along with Caltrans, and SANDAG will continue to pursue and promote improvement of the I-5 freeway facilities adjacent to the UCSP area. The concept of promoting/requiring "fair-share" contributions on the part of developers for improvements to the freeway system will need to be addressed as part of the implementation of an acceptable program to improve freeway segments and ramps. As such, the specification of such requirements cannot be determined at this time. Mitigation Measure 5.8.5-6 was developed to ensure the continued participation in regional transportation planning efforts by the City, Caltrans, SANDAG, and other entities as may be identified.	4) The Plan will identify the total estimated design and construction cost for each Improvement and the responsibility of each Entity for both implementation and funding of such costs. 5) The Plan will include the parameters for any fair-share funding contributions to be implemented, that would require private and/or public developers to contribute to the costs, in a manner that will comply with applicable law. 6) In developing the Plan, the Entities shall also consider ways in which the Improvements can be coordinated with existing local and regional transportation and facilities financing plans and programs, in order to avoid duplication of effort and expenditure; however, the existence of such other plans and programs shall not relieve the Entities of their collective obligation to develop and implement the Plan as set forth in this mitigation measure. Nothing in the Plan shall be construed as relieving any Entity (or any other entity) from its independent responsibility (if any) for the implementation of any transportation improvement.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
TRAFFIC/CIRCULATION (cont.)			
The City of Chula Vista shall continue to work with SANDAG and Caltrans on an ongoing basis to identify sources and obtain funding for a variety of transportation system improvements. Future residential growth in the Urban Core will be subject to the Regional Transportation Congestion Improvement Program, as stipulated by the Transnet legislation and will provide additional funds for improvement of the regional arterial system.	7) The City shall seek adoption of the Plan before the City Council upon the completion of the multi-jurisdictional effort to develop the Plan. The City shall report, to their governing bodies regarding the progress made to develop the Plan within six months of the first meeting of the Entities. Thereafter, the City shall report at least annually regarding the progress of the Plan, for a period of not less than five years, which may be extended at the request of the City Council. 8) The Plan shall also expressly include each Entity's pledge that it will cooperate with each other in implementing the Plan. The failure or refusal of any Entity other than the City to cooperate in the implementation of this mitigation measure shall not constitute failure of the City to implement this mitigation measure; however, the City shall use its best efforts to obtain the cooperation of all responsible Entities to fully participate in order to achieve the goals of the mitigation measure.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
NOISE			
Exterior Noise. The UCSP would result in a significant exterior noise impact because it would result in exposure of receivers in the UCSP area to exterior noise levels that exceed the levels established by the GPU and the City's noise control ordinance. The noise threshold include exterior limits of 65 CNEL in residential areas, outdoor use areas, neighborhood parks, and playgrounds, 70 CNEL in office and professional areas, or 75 decibels for retail and wholesale commercial areas, restaurants, and movie theaters.	5.9-1: Exterior Noise Mitigation Measure. Prior to the approval of individual development projects, projects within the UCSP area shall demonstrate that required outdoor usable open space areas are adequately shielded from transportation related noise sources so that noise levels fall below the standards set by the General Plan Update (see Figure 5.9-1 and Table 5.9-1) or do not cause an increase of greater than 3 dB(A) on an existing roadway. Noise reduction measures may include building noise-attenuating berms, walls or other attenuation measures. Future development of park facilities shall also, to the extent feasible, incorporate mitigation measures such as siting, berms, walls or other attenuation measures to reduce impacts to acceptable levels of 65-70 CNEL or less. Indication that noise levels fall below this limit shall be made to the satisfaction of the Planning and Building Director, Building Official or Community Development Director.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
NOISE (cont.)			
The siting of future parks has the potential to result in significant impacts. While park sites have not been designated, it is possible that parks could be sited next to circulation element roadways which generate noise in excess of 65 [to 70] decibels. This would be a significant impact and would require mitigation. Mitigating this impact would require the construction of noise barriers. Required barrier heights may be achieved through the construction of walls, berms, or wall/berm combinations. While noise levels at a park site would be reduced by the construction of noise barriers, these barriers are incompatible with park uses.	Because the only mitigation available to reduce exterior noise impacts to parks resulting from roadway traffic is the insertion of a barrier between the source (traffic) and receiver (park), and because parks are intended to remain open (i.e., not surrounded by walls) to the community, exterior noise impacts cannot be fully mitigated. There are no feasible mitigation measures available to mitigate for the potential for parks that are to be sited next to circulation element roadways which generate noise in excess of 65-70 CNEL. Therefore, exterior noise impacts remain significant and unmitigated.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
NOISE (cont.)			
Interior Noise. The adoption of the UCSP would have a significant noise impact prior to mitigation because it would result in interior noise levels that exceed 45 dB CNEL due to exterior sources for habitable rooms in residences.	5.9-2: Interior Noise Mitigation Measure. Prior to the approval of subsequent individual development projects, for any residential use immediately adjacent to a circulation element roadway, trolley or rail line, or Interstate 5, an acoustical analysis shall be completed demonstrating to the satisfaction of the Planning and Building Director, Community Development Director or Building Official, that interior noise levels due to exterior sources are 45 CNEL or less in any habitable room. For residential projects where interior noise levels due to exterior noise sources exceed 45 CNEL, architectural and structural considerations such as improved window and door acoustical performance, shall be identified.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)
	5.9-3: Interior Noise Mitigation Measure. Prior to the approval of individual development projects, projects where it is necessary for the windows to remain closed to ensure that interior noise levels meet the City's and the Building Code interior standard of 45 CNEL shall demonstrate that the design for these units includes a ventilation or air conditioning system which provides a habitable interior environment with the windows closed.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
NOISE (cont.)			
City Noise Ordinance. Until specific uses are identified, conformance to the City's noise control ordinance code cannot be assured and impacts associated with this criterion are significant. The UCSP would result in a significant noise impact because it would result in exposure of receivers in the UCSP area to exterior noise levels that exceed the levels established by the City's noise control ordinance. These include exterior limits of 65 CNEL in residential areas, outdoor use areas, neighborhood parks, and playgrounds, 70 CNEL in office and professional areas, or 75 decibels for retail and wholesale commercial areas, restaurants, and movie theaters.	5.9-4: Noise Ordinance Mitigation Measure. Prior to the approval of individual development projects, commercial uses that may involve noise producing activities shall demonstrate compliance with the existing performance standards provided in the City's Noise Ordinance (Chapter 19.68.010 of the Municipal Zoning Code). Prior to project approval, subsequent projects shall also demonstrate compliance with the mixed-use provisions of Chapter VI of the UCSP that include minimization of the effects of any exterior noise impacts and provision of "internal compatibility between the different uses within the project" (UCSP, VI-44).	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
AIR QUALITY			
Air Quality Plan Consistency. The land uses proposed in he UCSP conform to the adopted GPU and are inconsistent with the former general plan upon which the State Implementation Plan (SIP) and Regional Air Quality Standards (RAQS) were based. By changing land use designations in certain areas, the recently adopted GPU failed to conform with the growth projections used by SANDAG in their generation of the air quality management plan. This is a significant adverse impact. Because the significant air impact stems from an inconsistency between the land uses envisioned in the currently adopted GPU and the former general plan upon which the RAQS were based, the only measure that can lessen this impact is the review and revision of the RAQS based on the recently adopted GPU. The RAQS are updated every three years, and will be updated again in 2007. This effort is the responsibility of SANDAG and the APCD.	The only measure that can lessen this impact to a level below significance is the review and revision of the RAQS based on the recently adopted GPU. Since the updating of the air plan is outside of the authority of the City, no mitigation is available to the City to avoid this impact. Nonetheless, the City will cooperate with SANDAG and APCD in developing updated RAQS to insure their conformance with the adopted GPU and mitigation measure 5.10.5-1 is provided as an advisory measure. 5.10.5-1: The City of Chula Vista shall recommend to SANDAG to update the RAQS in the next triennial cycle to incorporate the increased land use densities of the GPU and UCSP.	To coincide with SANDAG's 2007 update of the RAQS.	City of Chula Vista (CCV) in cooperation with SANDAG.

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
AIR QUALITY (cont.)			
Cumulatively Considerable Net Increase. Cumulative increases in emissions in criteria pollutants for which the SDAB is not in attainment, would result from short-term construction of projects in conformance with the UCSP and from long-term emissions generated by both stationary and mobile sources within the UCSP area. Since the region is not in compliance with the $PM_{2.5}$ and PM_{10} standard, and because the average daily emission is anticipated to increase, impacts are considered significant, until the region is in compliance. Stationary source pollutant emissions would include those generated by the consumption of natural gas and electricity and the burning of wood in residential fireplaces. Vehicle traffic on area roads would generate mobiles source emissions including carbon monoxide, nitrogen oxides, and hydrocarbons.	5.10.5-2: Prior to issuance of an Urban Core Development Permit or other discretionary permit, all subsequent individual development projects shall demonstrate to the satisfaction of the Community Development Director, conformance with the relevant land use and development regulations (UCSP, Chapter VI) and development design guidelines (UCSP, Chapter VII) of the UCSP which support smart growth principles such as providing a mix of compatible land uses; locating highest density near transit; utilizing compact building design and creating walkable communities; providing a range of infill housing opportunities; and increasing transportation choices.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
AIR QUALITY (cont.)			
	5.10.5-3: Prior to issuance of an Urban Core Development Permit or other discretionary permit, all subsequent individual development projects shall demonstrate compliance with relevant land use and development regulations contained in the UCSP to minimize air pollutant emissions. These include, but are not limited to: measures aimed at promoting pedestrian activity (Chapter V, pp. V-2- V-5); bicycle activity (Chapter V, pp. V-5 – V-7, V-9 – V-10); public transit facilities (Chapter V, pp. V8 – V-9), including the West Side Shuttle (Chapter V, pp. V-11 – V-12); and reintroduction of the traditional street grid (Chapter V, pp. V-16 – V-19).	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
AIR QUALITY (cont.)			
Mitigation is achievable for fugitive dust from short-term construction activities, but the only measures that would reduce those emissions from long-term daily operations are those that reduce vehicle miles traveled on area roads. The UCSP includes measures aimed at promoting alternative modes of travel including enhanced pedestrian and bicycle activity, use of transit and reducing trip lengths by siting highest density adjacent to key transit nodes. Implementation of mitigation measures will ensure that conformance to these provisions of the UCSP is satisfied prior to issuance of subsequent project development permits.	5.10.5-4: Prior to issuance of construction permits, including but not limited to, the first Grading Permit, Demolition Permit, and Urban Core Development Permit, the Community Development Director shall verify that the following active dust control practices are to be employed during construction: 1. All unpaved construction areas shall be sprinkled with water or other acceptable San Diego APCD dust control agents during dust-generating activities to reduce dust emissions. Additional watering or acceptable APCD dust control agents shall be applied during dry weather or windy days until dust emissions are not visible. 2. Trucks hauling dirt and debris shall be properly covered to reduce windblown dust and spills.	Prior to the approval of any construction permits, including but not limited to the first Grading Permit, Demolition Permit, and Urban Core Development Permit (UCDP).	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
AIR QUALITY (cont.)			
	3. A 20-mile-per-hour speed limit on unpaved surfaces shall be enforced. 4. On dry days, dirt and debris spilled onto paved surfaces shall be swept up immediately to reduce resuspension of particulate matter caused by vehicle movement. Approach routes to construction sites shall be cleaned daily of construction-related dirt in dry weather. 5. On-site stockpiles of excavated material shall be covered or watered. 6. Disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the City and/or APCD to reduce dust generation. 7. To the maximum extent feasible heavy-duty construction equipment with modified combustion/fuel injection systems for emissions control shall be utilized during grading and construction activities and catalytic reduction for gasoline-powered equipment shall be used.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
AIR QUALITY (cont.)			
	8. Equip construction equipment with prechamber diesel engines (or equivalent) together with proper maintenance and operation to reduce emissions of nitrogen oxide, to the extent available and feasible. 9. Electrical construction equipment shall be used to the extent feasible. 10. The simultaneous operations of multiple construction equipment units shall be minimized (i.e., phase construction to minimize impacts). With the application of these measures, significant impacts resulting from projected PM_{10} impacts from construction would be mitigated. Impacts resulting from daily operation would remain significant until the region is determined to be in compliance with the standard.		

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
AIR QUALITY (cont.)			
Sensitive Receptors. The Health Risk Assessment prepared for the proposed UCSP identified cumulatively significant particulate emissions for sensitive receptors adjacent to Interstate 5. (See cumulative air quality discussion above). Although there is no adopted standard for sensitive receivers adjacent to Interstate 5, it was determined that air quality impacts from diesel particulates emanating from Interstate 5 would be cumulatively significant given current basin-wide noncompliance with particulate standards and projected future levels of diesel particulates emanating from I-5.	Cumulatively significant diesel particulate impacts would be reduced through mitigation measures 5.10-5-2 and 5.10.5-3 above, but not to below a level of significance.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

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URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
PUBLIC SERVICES			
Law Enforcement. Future development in accordance with the proposed UCSP would result in a significant impact to law enforcement services because of the anticipated increase in calls for service and the additional travel time required to answer these calls. While the police facility at Fourth Avenue and F Street is sufficient to meet the law enforcement needs created by increased demand resulting from development, more police officers will be needed in order to maintain response times. Significant impacts would result if timing of these provisions does not coincide with projected increase in demand for services and populations growth. Implementation of mitigation measures 5.11-1-1 through 5.11.1-3 would mitigate impacts to the provisions of adequate law enforcement services resulting from the adoption of the UCSP to below a level of significance.	5.11.1-1: Subsequent development projects shall demonstrate that significant impacts to police services resulting from an individual project are addressed prior to approval of an Urban Core Development permit or other discretionary approval. As part of project review, subsequent development projects shall be evaluated for adequate access for police vehicles (pursuant to GPU Policy PFS 6.1) and integration of Crime Prevention Through Environmental Design (CPTED) techniques (pursuant to GPU Policy PFS 6.3). 5.11.1-2: As a condition of project approval, individual developers shall pay the public facilities development impact fees (PFDIF) at the rate in effect at the time building permits are issued. 5.11.1-3: As part of the annual budgeting process, the City shall assess the need for additional police personnel to provide protection services consistent with established City service levels and commensurate with the increase in population.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit. Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit. Needs assessed during annual City budget review.	City of Chula Vista (CCV) City of Chula Vista (CCV) City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
PUBLIC SERVICES (cont.)			
Fire Protection. The Chula Vista Fire Department does not currently meet the threshold standard for response time for the City, including the UCSP Subdistricts Area. Buildout of the proposed UCSP would increase demand for fire protection services. However, as population growth in the service area warrants, additional fire protection personnel and fire protection equipment and facilities would be provided to help ensure adequate service within the requirements of the GMOC threshold standards. Significant impacts to fire protection services would result if timing of these provisions does not coincide with projected increase in demand for services and population growth. With the implementation of mitigation measures 5.11.2-1 through 5.11.2-3, significant impacts to the provision of fire protection services would be mitigated to less than significant.	5.11.2-1: Prior to approval, subsequent individual development projects in the UCSP shall demonstrate provision of adequate access and water pressure for new buildings. 5.11.2-2: As a condition of project approval, individual developers shall pay the public facilities development impact fees at the rate in effect at the time building permits are issued. 5.11.2-3: As part of the annual budgeting process, the City will assess the need for additional fire personnel to provide protection services consistent with established City service levels and commensurate with the increase in population.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit. Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit. Needs assessed during annual City budget review.	City of Chula Vista (CCV) City of Chula Vista (CCV) City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
PUBLIC SERVICES (cont.)			
Schools. The proposed UCSP will result in a three-fold increase in population within the Subdistricts Area at buildout and an associated increase in demand for schools. At buildout, the UCSP is expected to generate a net increase of approximately 3,877 students between elementary, middle school, and high school grades. The generation of approximately 2,485 additional elementary students would have a significant impact on existing elementary schools serving the area because they are already at or near capacity. New students generated by the UCSP would require at least 59 additional elementary school classrooms. However, potentially fewer students may result from UCSP buildout or interim conditions due to the intensified urban environment of the UCSP, with new mid- to high-rise mixed uses likely to be occupied by single or childless young couples, or empty nesters. Therefore, the impacts may be overstated and will be monitored to accurately plan for new student enrollment.	5.11.3-1: Prior to approval, subsequent development projects in the UCSP shall demonstrate that significant impacts to public educational services resulting from the individual project have been addressed. As a condition of project approval, individual developers shall pay the statutory school impact fees at the rate in effect at the time building permits are issued.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
PUBLIC SERVICES (cont.)			
Libraries. Buildout of the UCSP may require additional library space in order to meet and maintain the City criteria of 500 square feet per 1,000 population and 3 books per person for new development. Based on the expected net increase in population of 18,318 with buildout of the UCSP, increased demand on existing library services would amount to approximately 9,159 square feet of library facilities and 54,954 books. Existing library service conditions in the City are inadequate and not in compliance with City standards. Additional library capacity is planned by 2007, however, with the construction of the 30,000-square-foot Rancho Del Rey Library. In the absence of this or other new library construction, any additional demand on library services would comprise a significant impact.	The following mitigation measure will mitigate library impacts resulting from the adoption of the UCSP to below a level of significance. 5.11.4-1: Prior to approval, subsequent individual development projects in the UCSP shall demonstrate that significant impacts to the provision of library services resulting from individual projects have been addressed. As a condition of project approval, individual developers shall pay the public facilities development impact fees at the rate in effect at the time building permits are issued.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
PUBLIC SERVICES (cont.)			
Parks and Recreation. Implementation of the proposed UCSP would generate increased demand for parks and recreation facilities. Full buildout of the UCSP would be required to provide up to approximately 55 acres of new parkland (incrementally and commensurate with new development) in order to meet the Chula Vista Municipal Code, Park Development Ordinance standard of 3 acres of parkland for every 1,000 people. A significant impact could occur if dedication of parkland and construction of new facilities does not coincide with project implementation and project population growth. Implementation of mitigation measure 5.11.5-1 would reduce impacts to the provisions of park and recreation services and facilities resulting from the adoption of the UCSP to below a level of significance.	5.11.5-1: Prior to approval of an Urban Core Development Permit, each subsequent project shall establish to the satisfaction of the Community Development Director that the project meets the City's parkland dedication requirement. As a condition of project approval, individual developers shall provide required parkland and facilities on-site, if possible and consistent with potential site locations identified in the UCSP and Parks Master Plan; or pay the applicable parkland acquisition and parkland development fee and recreation facility development impact fees at the rates in effect at the time building permits are issued.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
PUBLIC UTILITIES			
Wastewater Treatment Capacity. Based on buildout projections, impacts to the provision of sewer service would be significant. Chula Vista owns capacity in the Metro system, which provides conveyance of City wastewater flows. Increasing population will place additional demand on sewer services. While it is the intent of the City to ensure that services are provided concurrent with need, the provision of sewer services is not solely within its authority. Although the City is in the process of acquiring additional capacity from Metro, that acquisition has not yet been finalized. Based on GPU buildout projections, the City will be generating approximately 26.2 mgd of wastewater citywide by 2030 and would need to acquire additional 6.4 mgd of capacity rights by the year 2030 in order to meet citywide projected demand. Of this total, 1.57 mgd are projected to be generated in western Chula Vista, including a projected generation of 0.88 mgd for the UCSP Subdistricts Area.	5.12.2-1: Prior to the approval of subsequent individual development projects, project plans shall demonstrate that there is sufficient wastewater capacity available to serve the proposed project. Conditions of approval may require sewer capacity fees to be contributed to mitigate project-related impacts.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

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URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
PUBLIC UTILITIES (cont.)			
Energy. Impacts to energy are considered significant because there is no long-term assurance that energy supplies will be available at buildout of the UCSP. Avoidance of energy impacts cannot be assured regardless of land use designation or population size. Although changes to planned land uses in the City would continue to implement the Energy Strategy Action Plan, San Diego Regional Energy Plan and Transit First Plan, implementation of the proposed land uses identified in the UCSP has the potential to result in significant impacts to nonrenewable and slowly renewable energy resources as a result of anticipated growth. The environmental sustainability measures of the UCSP(Chapter VI, G.) may further serve to reduce energy consumption associated with construction and occupation of structures within the UCSP area.	5.12.4-1: The City shall continue to implement the Energy Strategy Action Plan that addresses demand side management, energy efficient and renewable energy outreach programs for businesses and residents, energy acquisition, power generation, and distributed energy resources and legislative actions, and continue to implement the CO_2 Reduction Plan to lessen the impacts on energy. While implementation of the above mitigation measure reduces energy related impacts, because there is no assurance that energy resources will be available to adequately serve the projected increase in population resulting from adoption of the UCSP, the impact remains significant.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM
(continued)

Potential Significant Impact	Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
HAZARDS/RISK OF UPSET			
Hazardous Materials Transport, Use Disposal or Release. Hazardous materials occur within the UCSP area and pose significant public health and safety risks during construction or long-term occupation of proposed development. Exposure to hazardous materials that exceed state and/or federal standards can occur through contact with contaminated soil or groundwater, through ingestion, skin contact or the inhalation of vapors or dust. An approximate total of 103 sites of potential hazardous concern have been identified from various federal, state and local databases as occurring within the Subdistricts Area.	5.13-1: Prior to approval of subsequent individual development projects, any project plans that propose land uses which use, transport, store, and dispose of hazardous materials shall be conducted in compliance with the relevant regulations of federal, state, and local agencies, including the EPA, California Department of Heath Services (DHS), and California Department of Transportation. 5.13-2: A risk assessment shall be performed at all sites within the study area where contamination has been identified or is discovered during future construction activities, and at which soil is to be disturbed, to address risks posed by any residual contamination, and to establish appropriate mitigation measures (e.g., natural attenuation, active remediation, engineering controls) that would be protective of human health and the environment. All assessment and remediation activities shall be conducted in accordance with a Work Plan that is approved by the regulatory agency having oversight of the activities.	Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit. Prior to the approval of an Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV) City of Chula Vista (CCV)

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URBAN CORE SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Potential Significant Impact		Mitigation Measures	Time Frame of Mitigation	Monitoring Reporting Agency
HAZARDS/RISK OF UPSET (cont.)				
Due to the presence of numerous pre-1960s structures in the area, there is a potential that during construction or demolition, workers may come into contact with hazardous building materials(asbestos and lead). Future development consistent with the proposed UCSP would result in significant impacts if such development allows greater contact between humans and hazards.	5.13-3	A hazardous building materials survey should be performed at buildings in the study area prior to demolition or renovation activities. This type of survey typically addresses lead-based paint (LBP), asbestos-containing materials (ACMs), PCBs in electrical equipment, mercury switches, and heating/cooling systems. Such a survey should be conducted under the direct supervision of a State of California Certified Asbestos Consultant and EPA lead assessor. Prior to demolition or renovation work that would disturb identified ACMs, LBP, or other hazardous materials, a licensed abatement removal contractor should remove and properly dispose of the hazardous material(s) in accordance with applicable local, state and federal regulations. A California certified consultant should prepare a bid specification document, and perform abatement project planning, site and air monitoring, oversight activities, and reporting activities.	Prior to the approval of any demolition or renovation activities or construction permits, including but not limited to the first Grading Permit, Demolition Permit, and Urban Core Development Permit (UCDP) or other discretionary permit.	City of Chula Vista (CCV)

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